

Washington, Wednesday, March 11, 1942

Rules, Regulations, Orders

TITLE 7-AGRICULTURE

CHAPTER VII—AGRICULTURAL AD-JUSTMENT AGENCY, AGRICUL-TURAL CONSERVATION AND AD-JUSTMENT ADMINISTRATION

[ACP-1942-9]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

SUBPART D-1942

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148, 16 U.S.C. 590g to 590q), as amended, the 1942 Agricultural Conservation Program, as amended, is further amended as follows:

- 1. Section 701.301 (d) (7) is amended to read as follows:
- § 701.301 Allotments, yields, grazing capacities, payments, and deductions.
 - (d) Potatoes.
- (7) Deduction. Ten times the payment rate for each acre of potatoes harvested in excess of the larger of 3 acres or 110 percent of its potato acreage altotment, or on a farm for which no allotment is determined, in areas designated by the Agricultural Conservation and Adjustment. Administration where more than 3 acres of potatoes are grown for home use on a substantial number of farms, for each acre of potatoes harvested for market in excess of three acres.
- 2. Sec. 701.301 (g) (5) (ii) is amended to read as follows:
 - (g) Wheat.
 - * * * * * (5) Non-wheat-allotment farm.
- (ii) for which a wheat allotment of 15 acres or less is determined and the acre-
 - ¹7 F.R. 1410.

age planted to wheat exceeds the allotment by 10 percent or more;

- 3. Sec. 701.301 (i) (1) is amended to read as follows:
- (i) Minimum soil-conserving and soil-building requirements.
- (1) Minimum conserving a creage. The net payment for any farm in connection with special crop allotments shall be subject to a deduction of 5 percent of the maximum amount computed in connection with such allotments for each 1 percent of the cropland on the farm by which the acreage of cropland on the farm devoted exclusively, throughout the 1942 crop year, to one or more of the following uses, as recommended by the State committee and approved by the Agricultural Conservation and Adjustment Administration, is less than 20 percent of the cropland on the farm:
- (i) Perennial grasses or legumes, including new seedings if seeded alone or with a nurse crop pastured or clipped green.
- (ii) Biennial legumes, lespedeza, or annual sweet clover, including new seedings if seeded alone or with a nurse crop pastured or clipped green.
- (iii) Sudan, millet, rye, or annual ryegrass, for pasture.
- (iv) Seeded cover crops of which a good stand and good growth is left on the land, and green manure crops qualifying for credit under practice (24).
- (v) Summer fallow protected by methods recommended by the State committee and approved by the Agricultural Conservation and Adjustment Administration.
- (vi) Fallow rice land, or rice land on which noxious plants are controlled by mowing.
- (vii) Forest trees planted on cropland since 1935.
- (viii) Austrian winter peas, crimson clover, or vetch, grown for seed.
- (ix) Land qualifying under practice (57), provided the land is adequately protected from erosion.
- (x) Idle cropland on which approved terraces are constructed during the 1942 crop year.

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(xi) Sweet sorghums, oats, rye, Sudan, or millet, cut green for hay, provided a strip 1 rod wide is left standing between each 5-rod strip harvested (applicable only in arid and semiarid areas recommended by the State committee and approved by the Agricultural Conservation and Adjustment Administration).

(xii) New seedings of perennial grasses or legumes, biennial legumes, or lespedeza seeded in accordance with good farming practice with flax, peas or small grains as a nurse crop. The maximum acreage which may qualify under this item shall be limited to 40 percent of the sum of the 1942 acreages of the following crops on the farm: Soybeans for beans, peanuts for oil, flax, hemp, castor beans, sugar beets, dry field peas, dry beans, canning peas, canning tomatoes, and American-Egyptian cotton.

Provided, however, That on farms of less than 20 acres of cropland this requirement may be met in whole or in part by growing winter cover crops or green manure crops regardless of any other use of the same land during the 1942 crop year: Provided further, That, in areas recommended by the State committee and approved by the Agricultural Conservation and Adjustment Administration, on any farm this requirement may be met in whole or in part by growing green manure or cover crops regardless of any other use of the same land during the 1942 crop year, and by seeding winter legumes in the fall of 1942 on land on which American-Egyptian cotton is grown in 1942, except that on any such farm the percentage of the cropland on the farm required to be devoted to such uses shall be 30 percent and the deduction from the net payment in connection with special crop allotments shall be 31/3 percent of the maximum amount computed in connection with such allotments for each 1 percent of the cropland by which the required percentage is not

- 4. Sec. 701.301 (i) (2) is amended by changing the item pertaining to winter legumes, rye grass, and small grains contained in the list of erosion-resisting crops and uses to read as follows:
- (2) Minimum acreage of erosionresisting crops. *

Winter legumes, ryegrass, and small grains (except wheat) seeded in the fall of 1942 on land from which castor beans produced from seed furnished by the

Agricultural Adjustment Agency, Sea Island cotton, flax, hemp, sugar beets, dry field peas, dry beans, canning peas, canning tomatoes, sorgo for alcohol or peanuts are harvested in 1942. maximum acreage which may qualify under this item shall be limited to 121/2 percent of the cropland but not in excess of the sum of the 1942 acreages of castor beans produced from seed furnished by the Agricultural Adjustment Agency, Sea Island cotton, flax, hemp, sugar beets, dry field peas, dry beans, canning peas, canning tomatoes, and sorgo for alcohol plus the amount by which the 1942 acreage of peanuts exceeds the 1942 peanut allotment.

Done at Washington, D. C., this 9th day of March 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD, Secretary of Agriculture.

[F. R. Doc. 42-2085; Filed, March 10, 1942; 11:30 a, m.]

TITLE 12—BANKS AND BANKING

CHAPTER II-BOARD OF GOVER-NORS OF THE FEDERAL RESERVE SYSTEM

PART 222-CONSUMER CREDIT

Part 222 is hereby amended in the following respects, and these changes shall become effective March 23, 1942, except that the change in § 222.11 (c) (2) shall not become effective until April 1,

Section 222.3 (b) is amended to read as follows:

§ 222.3 Registration and general requirements.

(b) General license. Whenever this regulation is amended so that any person who was not formerly subject to § 222.3 (a) becomes subject thereto, such person is hereby granted a general license; but such general license shall terminate at the end of the second full calendar month after the month in which the amendment becomes effective unless such person has registered, in the manner provided in § 222.3 (c), before such termination. Any person whose license is not suspended may become licensed by registering in the manner provided in § 222.3

Section 222.4 (f) is amended by adding the following new paragraph at the end thereof:

§ 222.4 Installment sale credit.

(f) * * * The Registrant may disregard the requirements of this § 222.4 (f) in the case of any article listed in Group A, B, C or D on which the down payment required by § 222.4 (a) would be \$2.00 or less, or in the case of any article included in Group E of which the bona fide cash purchase price, as defined in § 222.11, does not exceed \$20.00.

¹6 F.R. 4443, 5507.

Section 222.5 (d) is amended by changing the words "On and after January 1, 1942, no Registrant" at the beginning of the section to "No Registrant", and by striking out the next to last sentence of the section.

Section 222.6 (e) is amended so that subparagraph (1) thereof will read as follows:

§ 222.6 Certain exceptions.

(e) * * * (1) to finance the purchase of aircraft for use in any activity in respect of which a preference rating of A-10 or higher is in force for deliveries of civil aircraft; * * *

Section 222.6 (j) is stricken out and the following new provision is substituted therefor:

(j) Any extension of instalment loan credit made by the Disaster Loan Corporation.

The first sentence of § 222.6 (k) is amended to read as follows, and the number (2) in the second sentence of the section is changed to (3):

Any extension of instalment loan credit which is made to a person engaged in agriculture, or to a cooperative association of such persons, provided that the extension of instalment loan credit (1) is made by the Land Bank Commissioner on behalf of the Federal Farm Mortgage Corporation and is found, pursuant to regulations issued by the Commissioner, to be necessary to maintain or increase production of essential agricultural commodities, or (2) is approved by the Farm Security Administrator, or his authorized agent, as being necessary for the rehabilitation of a needy farm family, or (3) is for general agricultural purposes and is not for the purpose of purchasing any listed article and not secured by any listed article purchased within 45 days before the extension of credit.

The following footnote is added to § 222.8 (a), and the footnote reference 4 is inserted after the word "credit" immediately before the proviso of the section:

If there should be any arrearage which does not arise out of any prearrangement or plan to evade this regulation, the arrearage may be divided equally among and added to the remaining payments scheduled for the liquidation of the credit to which such arrearage relates. This applies to any renewal, revision or consolidation effected in accordance with any provision of section 8.

Option 1 in § 222.8 (b) is amended to read as follows:

§ 222.8 Renewals, revisions, and additions.

(b) Additions to outstanding credit held by registrant. * * * Option 1. The terms of the consolidated obligation shall be such as would have been necessary to meet the requirements of this regulation if the several obligations had not been consolidated: Provided, That, in order to schedule payments at approximately equal intervals, the consolidated obligation may combine payments that would otherwise have fallen due at different times within any monthly period, but the first of such combined payments

shall fall due within one month after such consolidation; or

Section 222.8 (d) is amended by striking out the last sentence thereof.

Section 222.9 (d) is amended by adding the following new paragraph at the end thereof:

§ 222.9 Miscellaneous provisions.

(d) * * * Whenever this regulation is amended to add any article to the listed articles specified in § 222.11, the amendment shall not apply with respect to the carrying out of any valid contract made prior to the effective date of the amendment; but any renewal, revision or consolidation of any such obligation shall be subject to the requirements of § 222.8, and for the purposes of § 222.8 (a) the terms of replacement "permitted in the first instance" for such an obligation shall be deemed to be those applicable to such an extension of credit under such amendment.

The part of § 222.10 after the heading is amended to read as follows:

§ 222.10 Effective date of this part. This regulation became effective in its original form September 1, 1941; Amendment No. 1 became effective September 20, 1941; Amendment No. 2 became effective December 1, 1941; and Amendment No. 3 shall become effective March 23, 1942, except that he change made in Part 3 of § 222.11 by Amendment No. 3 shall not become effective until April 1, 1942.

Section 222.11 is amended to read as follows:

§ 222.11 Supplement—(a) Listed articles, maximum maturities, and maximum credit values. For the purposes of the regulation the following maximum maturities and maximum credit values shall apply to the following list of articles:

I. Automobiles (presenger cars designed for the purpose of transporting less than 10 passengers, including taxicabe). 2. Motorcycles (two or three-wheel meter vehicles, including motor bicycles)	Articles of consumers' durable goods (whether new or used)	Maximum maturity in months	Maximum excilt value in percent of basis price
the purpose of transporting less than 10 passengers, including tarteabs)	GROUP A		
1. Aircraft (including gliders) 15 2. Power driven heats, and motors designed for use therein, other than beats or motors designed specifically for commercial use. 15 3. Outboard boat motors 15 4. Bicycles 15 CROVE C 1. Mechanical refrigerators of less than 12 cubic feet rated capacity 15 2. Washing machines designed for household use 15 4. Suction cleaners designed for household use 15 4. Suction cleaners designed for household use 15 4. Suction cleaners designed for household use 15 5674	the purpose of transporting less than 10 passengers, including taxicabs)		(f)
2. Power driven beats, and motors designed for use therein, other than beats or motors designed specifically for commercial use	geoùs r		
mercial use	2. Power driven beats, and motors designed	15	6634
1. Mechanical refrigerators of less than 12 enbic feet rated capacity. 18 66% 2. Weshing mechines designed for household use. 15 66% 3. Ironers designed for household use. 15 66% 4. Suction cleaners designed for household use. 15 66%	8. Outboard boat motors	15 15 15	
cubic fact rated espacity 15 67% 2. Washing machines designed for house 15 65% 3. Ironers designed for household use 15 67% 4. Suction cleaners designed for household use 15 67%	GROUP C		İ
15 6673 1. Snetton cleaners designed for household use 15 6673 1. Snetton cleaners designed for bousehold use 15 6674	enhie fact rated canacity	15	6036
15 65%	3. Ironers designed for household use	15 15	6674 6674
		15	6634

1 (660 paragraph (6) of this section.)
1 Added by Amendment No. 8, effective March 23,
1942.

Articles of consumers' durable goods (whether new or used)	Maximum maturity in months	Maximum credit valua in percont of basis price
GEOUP C—continued		
5. Cooking stoves and ranges designed forhousehold uso		_
6. Heating stoves and space heaters de-	15	80
signed for household use 7. Electric dishwashers designed for house-	15	80.
8. Recm-unit air conditioners 9. Sewing machines designed for household	15 15	6074 6674
uso. 10. Radio receiving sets, phonographs, cr	15	€63 %
combinations 11. Musical instruments composed prin-	15	EC73
cipally of metals	15	6674
12. Lawn mowers, mower-type edgers and trimmers (whether or not power-driven) 2.	15	€674
13. Silverware (flatware and hellow ware, whether solid or plated) 2	15	6633
14. Upons, electric or other, designed for bouseholder regional use, and watches?	15	80
15. Motion picture cameras, projectors, and knees, dealgned for film gauges less than 25 mm, still cameras, projectors, lences and shutters, and enlargers :	15	6674
geoup d		
1. Household furnaces and heating units for furnaces (including oil burners, gas		
conversion burners, and stokers) 2. Water beaters decized for household use	18 18	80 80
conversion burners, and stokers). Water beaters decigned for household uso. Water pumps decigned for household uso. Humbling and canitary fixtures decigned	18	80
K. Home air conditioning systems	18 15	80 6673 6673
7. New household furniture fineluding fee	15	€€33
reingulators, feet springs, and mat- tremes but excluding floor coverings, wall coverings, draperies, and bedcover- ings 3.	15 18	SO:
8. Plans and household electric organs 9. Floor coverings (including labric and linelaum type rugs, curpets, mats, and citer floor covering materials, whether or not designed to be affixed to the	18	60
or not designed to be affixed to the	15	80
GROUP E		
1. Materials and services (other than materials, whether or not designed for household use, which are of the kinds listed in Group C or D) in connection with regains, eiterations, or improvements upon urban, suburban or ruml real property in connection with existing structures (other than a structure, or a distinct part thereof, which, as so regained, altered or improved, is designed calculatively for zon-residential use), provided the defurred balance does not exceed \$1,000.	18	(9

3 Added by Amendment No. 3, effective Merch 23, 1912.

942. An articlo is not new if it has been used by a consumer. 4 No limitation.

(b) Basis price of listed articles other than those in Group A. The basis price of any listed article, other than an automobile or other article listed in Group A, shall be the bona fide cash purchase price of the article and accessories purchased minus the amount of any allowance made by the seller for any article traded in by the purchaser (including as such a tradein anything which the seller buys or arranges to have bought from the purchaser at or about the time of the purchase of the listed article).

(c) Maximum credit value of automobiles and motorcycles. For the purposes of the regulation:

 The maximum credit value of a new automobile or a new or used motorcycle shall be 66% per cent of the bona fide cash purchase price.

(2) The maximum credit value of a used automobile shall be 66% per cent of whichever is the lower of the following two figures:

(i) the bona fide cash purchase price; or

(ii) the "appraisal guide value" plus

any applicable sales taxes.

"Appraisal guide value" means the estimated average retail value as stated in such edition of any regularly published automobile appraisal guide as the Board may designate for this purpose for use in the territory in which such used automobile is sold. Information as to the guide or guides designated for any given territory may be obtained from any Federal Reserve Bank or branch.

- (d) Cash purchase price. For the purposes of this section:
- (1) The bona fide cash purchase price of an article includes that of any accessories, and it also includes any applicable sales taxes and any bona fide delivery and installation charges; and
- (2) In the case of any article or accessory for which the Federal price authorities have prescribed a maximum retail price, the maximum credit value shall in no event exceed that resulting from a bona fide cash purchase price equal to the total of such maximum retail price and any applicable sales taxes not included therein.
- (e) Instalment loan credit subject to § 222.5 (b) of the Regulation. The maximum maturity of any extension of instalment loan credit of \$1,500 or less subject to § 222.5 (b) of the regulation shall be 15 months.

(The foregoing amendments are issued under the authority contained in sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; 12 U.S.C. 95 (a) and Sup., and Executive Order No. 8843; dated August 9, 1941, 6 F.R. 4035.)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 42-2054; Filed, March 9, 1942; 3:13 p. m.]

TITLE 16—COMMERCIAL PRACTICES CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 4252]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF WILLIAMS CANDY COMPANY

§ 3.99 (b) Using or selling lottery devices—In merchandising. In connection with offer, etc., in commerce, of candy or any other merchandise, (1) supplying,

etc., others with push or pull cards, punch boards or other lottery devices, which said push or pull cards, punch boards or other lottery devices are to be used, or may be used, in selling or distributing such candy or other merchandise to the public; (2) supplying, etc., others with push or pull cards, punch boards or other lottery devices, either with candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used, or may be used, in selling or distributing respondent's merchandise or any other merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Williams Candy Company, Docket 4252, March 3, 1942]

In the Matter of H. M. Williams, Individually and Trading as Williams Candy Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of March, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of the trial examiners upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, H. M. Williams, individually and trading as Williams Candy Company, or trading under any other name, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

- 1. Supplying to or placing in the hands of others assortments of candy or other merchandise, together with push or pull cards, punch boards or other lottery devices, which said push or pull cards, punch boards or other lottery devices are to be used, or may-be used, in selling or distributing such candy or other merchandise to the public;
- 2. Supplying to or placing in the hands of others push or pull cards, punch boards or other lottery devices, either with candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used, or may be used, in selling or distributing respondent's merchandise or any other merchandise to the public;
- 3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary,

[F. R. Doc. 42-2086; Filed, March 10, 1942; 11:43 a. m.]

TITLE 30-MINERAL RESOURCES CHAPTER III-BITUMINOUS COAL DIVISION

[Docket No. A-1289]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 2 FOR THE ESTAB-LISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CER-TAIN MINES IN DISTRICT NO. 2

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2.

A motion for permission to file a petition of intervention and protest together with a petition of intervention and protest and a motion for severance of docket was filed with the Division in the above-entitled matter by District Board No. 3, protesting the classifications and minimum prices proposed in the said original petition for the coals of the Clinton No. 1 Mine (Strip), Mine Index No. 2318, for all shipments except truck, and for truck shipments.

It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, and that the following action is necessary in order to effectuate the purposes of the Act.

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (Alphabetical list of code members) is amended by adding thereto Supplement R-I, § 322.9 (Special prices—(c) Railroad fuel) is amended by adding thereto Supplement R-II, § 322.23 (General prices) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations

¹This provision is effective on and after April 1, 1942. Prior to that date the maximum credit value of a used automobile shall be 66% per cent of the bona fide cash purchase price.

Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Fursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is jurther ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered. No relief is granted herein as to the

coals of the Clinton No. 1 Mine (Strip), Mine Index No. 2318, of the Union Col-

to this mine as Docket No. A-1289, Part II, and scheduling a hearing thereon. Dated: March 2, 1942, DAN H. WHEELER, Acting Director.

[SEVI]

Heries Company, for the reasons set forth in an order designating that portion of Docket No. A-1289 which relates

TEMPORARY AND CONDITIONALLY PLAKE HEFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

ier provisions contained in	No. 1 2 3 4 5 6 7 8 9 10 11 12 13 14 5 6 7 8 9 10 11 12 13 14 15 15 15 15 15 15 15 15 15 15 15 15 15	22 23 23 23 24 24 24 25 26 25 26 27 26 27 27 27 28 28 28 28 28 26 27 27 27 28 28 28 28 28 28 28 28 28 28 28 28 28 28 29 28 28 20 28 28 20 29 29 20 29 29 20 29 29 20 29 29 20 29 29 20 29 29 20 29 29 20 29 29 20 29 29 20 29 29 20 29 29 20 29 29 20 29 29	
CEMPORARY AND COMPLIANCE FIRST PROPERTY OF THE COMPLEX FIRST PROPERTY OF THE COMPLEX FIRST PROPERTY OF COMPLEX FOR ALL SHIPMENTS EXCEPT TRUCK \$ 322.7 Alphabetical listing of code members—Supplement R-I [Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.] Sapa Code members having railway loading facilities, showing price classification by size group Nos.]	on, Pa B&O	AA A AAAAAA	n Monan, River night of particular night of pa
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Nore: The material contained in these supplements is to be read price Schedule for District No. 2 and Supplements thereto. \$ 322.7 [Alphabelles] listing of containing the second state of the second state	D. L. Alns- o Andreolli ugand Con-		McCoy Drothers (Francis M. McCoy) McDonough, Joseph T. McDhall, Slowret & Adam Eldo- Mick E. 16 (Strip) The Many and Company (Myers Shub). Smith Junh W. & Robert J. (Hugh W. Smith). Tech P. Tech P. Tech P. Tunnellon
Prico	No.	22 22 22 22 22 22 22 22 22 22 22 22 22	

§ 322.9 Special prices—(c) Railroad fuel—Supplement R-II. § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group 1: 2309; Group 2: 1158, 2288, 2324; Group 6: 2291; Group 7: 1876, 2311, 3076; Group 8: 2319, 2320; Group 12: 2322,

2323; Group 13: 2325, 2326; Group 14; 2321; Group 15: 2310. All mines in Freight Origin Group No. 16 will take the same necessary or permissible adjustments as Freight Origin Group No. 50

FOR TRUCK SHIPMENTS

§ 322.23 General prices—Supplement T

[Prices in cents per net ton for shipment into all market areas]

				Base sizes												
Code member index	Mine indox No.		ON Mine		Seam	Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4".	Pea 3/" x 11/"	Run of mine	2" N/S	11%", slack	3/" slack
	Mi			1	2	3	4	5	6	7	8	9	10	11		
ALLEGHENY COUNTY			*****		- ~						İ			Ì		
Damico Coal (Joseph Damico)	2316 2313 2314 2315	Russo Fey Peluso W. & B	Pittsburgh Pittsburgh Pittsburgh Pittsburgh	275 295 270 295	265 285 260 285	255 275 250 275	240 250 230 250	215 225 215 225 225	210 225 215 225	210 220 210 220	220 220 220 220 220	180 195 180 195	170 185 170 185	160 180 160 180		
BUTLER COUNTY								Ì						,		
Kerry, John, & Sons (John Kerry, Sr.). FAYETTE COUNTY	2310	Kerry & Sons (Strip).	Freeport	315	300	290	280	270	260	240	230	200	190	180		
Ainsley, D. L. Coal Co. (D. L. Ainsley).	2311	Provance #1	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175		
Fike, Harry E Frederick, Eugene M McCoy Brothers (Francis M. McCoy).	2320	Bowers (Strip)														
McCoy Brothers (Francis M. McCoy).	2319	Dills (Strip)	Sewickley	265	255	245	235	215	205	205	205	190	185	170		
indiana county																
Westmoreland Mining Company LAWRENCE COUNTY	2325	Tunnelton	Upper Free- port.	275	265	255	235	225	220	215	215	195	185	175		
C. & S. Coal & Clay Co			Kittanning.	390	290	280	255	250	245	225	225	185	175	165		
Marshall Mining Company Phillippi, William P	2323 2308	Ramsey #2 (Strip) Phillippi	Kittanning _ Kittanning _	325 305	310 305	290 295	275 285	270 280	255 270	255 235	240 235	185 185	175 170	160 150		
WESTMORELAND COUNTY	ĺ		}								-					
Barnett, Walter A. Mining & Con- struction Co., c/o William J. Les- lic.		• • •	Pittsburgh	275	260	250	225	210	210	200	210	175	165	155		
Cambruzzi, Anthony L. McPhail, Stewart & Adam Eide- miller (Stewart McPhail).	- 1		Pittsburgh Pittsburgh		- 1	- 1	•		- 1	- 1	- 1	- 1				
Tosh, E. P	2321	Tosh #2	Pittsburgh	265	255	245	235	225 2	20	215	205	185	175	165		

[F. R. Doc. 42-2028; Filed, March 9, 1942; 10:17 a. m.]

[Docket Nos. A-1332 and A-1335]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER OF CONSOLIDATION AND ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE
MATTER OF THE PETITION OF BITUMINOUS
COAL PRODUCERS BOARD FOR DISTRICT NO. 2
FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE
COALS OF CERTAIN MINES IN DISTRICT NO.
2 AND IN THE MATTER OF THE PETITION OF
BITUMINOUS COAL PRODUCERS BOARD FOR
DISTRICT NO. 2 FOR THE ESTABLISHMENT.
OF PRICE CLASSIFICATIONS AND MINIMUM
PRICES FOR THE COALS OF CERTAIN MINES
IN DISTRICT NO. 2

Original petitions having been duly filed with this Division by the above-named party, pursuant to section 4 II' (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and It appearing that the above-entitled

It appearing that the above-entitled matters raise similar and related issues; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with this Division in the aboveentitled matters: and

entitled matters; and
The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith § 322.7 (Alphabetical list of code members) is amended by adding thereto Supplement R-I, § 322.9 (Special prices—(c) Railroad fuel) is amended by adding thereto Supplement R-II, and § 322.23 (General prices) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

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It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters, and applications to stay, terminate, or modify the temporary relief herein granted may be

erning Practice and Procedure Before the Bituminous Coal Division in Profiled with the Division within forty-five (45) days from the date of this order, pursuant to Rules and Regulations Gov-

ceedings Instituted Fursuant to section 4 II (d) of the Bituminous Coal Act, of 4 II (d) 1937.

DAN H. WHEELER (60) days from the date of unless otherwise ordered. Dated: February 28, 1942. the date [BEAL]

of this order, Acting Director

relief sixty It is further ordered, That the herein granted shall become final

Norm: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto. TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

FOR ALL SHIPMENTS EXCEPT TRUCK

Alphabetical list of code members-Supplement R-I

[Alphadotical listing of codo mombers having raliway loading facilities, showing prico classification by size group Nos.]

	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	30 G G G G G G G G G G G G G G G G G G G	
	#		
1	2		
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Sizo group Nos.	٥	HQ 14KQ	ued
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	2	世世 治50	rice
	7	HO 10-0	1 10
	8	Ho Oro	ner
	7	האס סאס	ဗီ
	<u> </u>	אם ואס	53
Freight	Tront No.		§ 322,23 General prices—Continued
:	Railroad	Monon PRR PRR Monon River PRR	
	Shipping point	Masontown, Pa Sup. 13 Stding Goottedte, Pa Gamden What Durgettstown, Pa	s 322.9 (c) in
-qiig	See See	80 8000	A
	Beam	Sowickloy Pittsburgh Pittsburgh Pittsburgh Pittsburgh Redstone	lement R-II
	Mino namo	Merryman (80w.) Superior K3 Higgins (Strip) Alco Trianglo (Strip)	iroad tuel—Sunn
	Code member	23.72 Fress, M. W. & A. R. Sowers	eann genear misse (a) Bullroad tipl—Sumbement R-II. In § 322.9 (c) in
	Index No.	## 858# ### 858##	}

In § 322.9 (c) in shown. Group No. 342; Group No. 18: §322.9 Special prices—(c) Raliroad fuel—Supplement R-H. In Minimum Price Echedule, add the mine index numbers in groups shov [2: 2350; Group No. 5: 2341; Group No. 6: 2349; Group No. 8: 2342; 2344.

For truck setements

Prices in cents per not ton for shipment into all market areas] General prices

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		PAYRITE COUNTY THESP, M. W. & A. R. 22 BOWER HIERINS, Edward	Triangle Coal Co. 22	WESTMORELAND COUNTY GADd, Chas. E. (The Z	Ondd, Chas. E. (The Z WestmorelandCom- pany). Weinberg, Hyman	
		35. Elack	=	8	211	170
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		5/N ,Z	٥	235 230 215 215 210 220 180	225 205 215 105	235 205 200 215 215 230 100 150
		Run of mine	∞	ដ	215	ន្ត
l	8	五四流。本形。	7	210	88	35
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		Lump 4"	G	275	55	303
	ç	12 2670 qmu.J	-			35
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	v	Міво		Darnoy #	Fulton (Deep)	Miller #2
1		o Index No.	ne.	8	24.7	- <u>2</u>
12		, Codo member Index		ALLEGHENT COUNTY DATHOL, Walter A., 2340 Barney H tion Company.	Anthony, O. 8 2347 Fulton (Deep) Lower Killan-	notier, A. J. & Sons 2015 Miller #2 Kittanning 325 305 2 (A. J. Miller).

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[F. R. Doc. 42-2030; Filed, March 9, 1942; 10:19 a. m.]

[Docket No. A-1320]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 7 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 7

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the aboveentitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (Low volatile coals: Alphabetical list of code members) is amended by adding thereto Supplement R, and § 327.34 (General prices in cents per net ton for shipment into any market area) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to Section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: February 28, 1942.

[SEAL]

Dan H. Wheeler, Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 Low volatile coals: Alphabetical list of code members—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

index No.	G. J		trict No.	Low volatile	Objected and	Dellmond	origin No.		P	ric y :	o c	las o g	siA rou	cai p I	io: No	11			
Mine inc	Code member	Mine name	Subdist	seam	Shipping point	Kanroau	Ranroad	nipping point Rairoau	Freight	1	2	3			ð			П	
298	Goode Coal Co. (Paul Goode).	Goode #2	5	Poca. 3	Mullens,W.Va	vgn	14	D	D	ø	Λ	Λ	В	B	B	B	B		

FOR TRUCK SHIPMENTS

§ 327.34 General prices in cents per net ton for shipment into any market area— Supplement T

[Prices in cents per net ton for shipment into all market areas]

<u> </u>					· · · · · · · · · · · · · · · · · · ·			_			
Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump 34" or larger, all egg and stove	All nut or pea 134" top	ω Screened M/R	straight mine run	c 11%" screenings	o 34" screenings
Booker, Henry Goode Coal Co. (Paul Goode)	301 298	Booker Goode #2	2 5	Fayette Wyoming	Sowell Poca. 3	200	250	280 280	215 215	195	180

[F. R. Doc. 42-2029; Filed, March 9, 1942; 10:18 p. m.]

[Docket No. A-1317]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER -GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 10 FOR A CHANGE IN THE DESIGNATION OF SHIPPING POINTS FOR MINE INDEX NOS. 1485 AND 1516

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting a change in the shipping point of the Bryant Mine, Mine Index No. 1485

of Ray Morgan (F. C. Morgan Coal Company) from Bryant to St. David, Illinois, and a change in the shipping point of the Central State No. 6 Mine, Mine Index No. 1516, of Central State Collieries, Inc., from St. David to Lewistown, Illinois, and further requesting that the name of Mine Index No. 1516 of Central State Collieries, Inc., be known as Central State No. 6 instead of Pure Seam; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the aboveentitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That pending final disposition of the above-entitled matter. temporary relief is granted as follows: Commencing forthwith the shipping points appearing in Supplement R-I, § 330.2 (Mine index numbers), annexed hereto and hereby made a part hereof for Mine Index No. 1485 and Mine Index No. 1516 are effective in place of the shipping points heretofore established for these mines; and commencing forthwith the name of Mine Index No. 1516 shall be as shown in the aforesaid Supplement R-I, and § 330.10 (Special prices—(a) Railroad locomotive fuel prices) is amended by adding thereto Supplement R-II, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order. unless it shall otherwise be ordered.

Dated: March 4, 1942.

DAN H. WHEELER. Acting Director.

Temporary and Conditionally Final Effective Minimum Prices for District No. 10

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.2 Mine index numbers—Supplement R-I

Price group	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
27 24	Central State Collieries, Inc. Morgan, Ray (F. C. Morgan Coal Company).	Gentral State No. 6 Bryant	1516 1155	91 91	Lewistown; Ill. ² St. David, Ill. ⁴	CB&Q. CB&Q.

¹ Mine Index No. 1516 shall be included in Price Group 27 and shall take the same f. o. b. mine prices as other mines in Price Group 27, Schedule No. 1, District No. 10, on size groups 1 to 8, Inclusive, and 17 to 25, Inclusive, for shipment to all market areas and for all uses exclusive of railroad locomotive fuel; provided, however, that these f. o. b. mine prices apply on board transportation facilities at Lewistown, Illinols.

¹ Shipping Point St. David, Ill., Freight Origin Group 91, is no longer applicable.

¹ Shipping Point 485 shall be included in Price Group 24 and shall take the same f. o. b. mine prices as other mines in Price Group 24, Schedule No. 1, District No. 10, on size groups 1 to 29, Inclusive, for shipment to all market areas and for all uses exclusive of railroad locomotive fuel; provided, however, that these f. o. b. mine prices apply on board transportation facilities at 8t. David, Illinols.

¹ Shipping Point Bryant, Ill., Freight Origin Group 91, is no longer applicable.

§ 330.10 Special prices—(a) Railroad locomotive fuel prices—Supplement R-II

Price group	Producer	Mine	Mino index No.	Freight origin group	Shipping point	Rallroad
27 24	Central State Collieries, Inc. Morgan, Ray (F. C. Morgan Coal Company).	Central State No. 6 Bryant	11516 11485	91 91	Lewistown, III St. David, III	OB&Q. CB&Q.

1 The railroad locomotive fuel prices shall be: mine run—\$2.00; screenings—\$1.40 and railroad locomotive fuel price exceptions 1-F, 2-A, 6, 7, 8, 35 and 43 shall apply.

1 The railroad locomotive fuel price shall be: mine run—\$2.00; screenings—\$1.40 and railroad locomotive fuel price exceptions 1-F, 2-A, 6, 7, 8, 35 and 43 shall apply.

[F. R. Doc. 42-2027; Filed, March 9, 1942; 10:17 a. m.]

[Docket No. A-1326]

PART 331-MINIMUM PRICE SCHEDULE, DISTRICT No. 11

IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 11 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF THE WALTERS & SHARP MINE (MINE INDEX NO. 1301) OF WALTERS & SHARP COAL COMPANY (BURL SHARP), CODE MEMBER IN DISTRICT NO. 11, FOR TRUCK SHIPMENTS

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Walters & Sharp Mine (Mine Index No. 1301) of Walters & Sharp Coal Company (Burl Sharp), code member in District No. 11, for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the aboveentitled matter; and

The following action being deemed. necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.24 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: March 2, 1942.

DAN H. WHEELER, Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

Norr: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR TRUCK SHIPMENTS

General prices in cents per net ton for shipment into all market areas—Supplement \$ 331.24

[F. R. Doc. 42-2026; Filed, March 9, 1942; 10:16 a. m.]

TITLE 32-NATIONAL DEFENSE

CHAPTER VI—SELECTIVE SERVICE SYSTEM

ALEXIAN BROTHERS' HOSPITAL PROJECT

designate the Alexian Brothers' Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 26. Said project, located at Chicago, Cook County, Illinois, will be the base of operations for work at the Alexian Brothers' Hospital at Chivisions of Section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 tated February 6, 1941, hereby Lewis B. Hershey, Director of Seleccago, Illinois, and registrants under the Selective Training and Service Act of local boards as conscientious objectors to tary service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military tive Service, in accordance with the pro-1940, who have been classified by their both combatant and non-combatant mili-

laboratory, and they will be engaged as attendants in connection with the care The work to be undertaken by the men pital Project will consist of clerical and of patients at said hospital, and shall be assigned to said Alexian Brothers' Hos-

16FR.831

of the Alexian Brothers' Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulunder the direction of the Superintendent Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters. gated thereunder, as well as the regula-tions of the Alexian Brothers' Hospital. LEWIS B. HERSHEY

MARCH 3, 1942.

[F. R. Doc. 42-2052; Filled, March 9, 1942; 2:23 p. m.]

OF SELECTIVE SERVICE FOR THE TERRI-TORY OF ALASKA TO WAIVE LOCAL BOARD Order Authorizing the State Director CERTAIN PHYSICAL EXAMINATION IN INSTANCES

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885), as amended, and the authority vested in me by the rules and regulations prescribed thereunder, and more particularly the provisions of \$623.35 of the Selective Service Regulations, I hereby waive the requirement that registrants be physically examined by an examining physician in the manner provided in part 623, Selective Service Regulations, when such registrants are in

Alaska designated by the State Director of Selective Service as being areas in which it is not practicable to complete serological tests, and I hereby direct that the classifications of such registrants be completed in the manner provided in § 623.51 (f), Selective Service Regulations, without such physical examination by a local board examining physician.

Director LEWIS B. HERSHEY, MARCH 4, 1942.

March 9, 1942; [F. R. Doc. 42-2051; Filled, 2:23 p. m.]

CHAPTER IX—WAR PRODUCTION BOARD

SUBCHAPTER B-DIVISION OF INDUSTRY OPERATIONS

PART 921—ALUMINUM

Supplementary Order M-1-g to Control the Use and Distribution of Aluminum Pigment and of Paint and Other Lig-uids Containing Aluminum Whereas national defense requirements have created a shortage of aluminum for defense, private account, and export; and

ments hereinafter set forth are necessary to conserve the supply and direct the distribution thereof in the interests of national defense; Whereas the restrictions and require-

Now, therefore, it is ordered, That:

(a) Definitions. For the purposes of § 921.9 Supplementary Order M-1-gthis section:

aluminum or any material containing aluminum which is manufactured, acquired or disposed of for use, or which is used, in the manufacture of paint or other coating or as a liquid welding com-(1) "Aluminum" means any material the principal ingredient of which by einum in powder, paste, or other form.
(2) "Aluminum pigment" means any ther weight of volume is metallic alumi-

pound.

(3) "Aluminum paint" means any paint in the manufacture of which aluminum pigment is used.

(4) "Paint formulator" means any person enleged in the business of manufacturing paint for sale.

(5) "Jobber" means any person engaged in the business of buying and sell-

retail distributor whose business is conto over-the-counter transactions ing aluminum paint or aluminum pigment, otherwise than in the capacity of with the general public. fined

minum pigment. No aluminum pigment ture, acquired, or disposed of, except as the Director of Industry Operations may (b) Restrictions upon manufacture, use, acquisition, and disposition of alushall be manufactured, used in manufac-

specifically authorize.
(c) Restrictions upon acquisition disposition of aluminum paint. minum paint shall be manufactured, acquired, or disposed of except as the Director of Industry Operations may specifically authorize.

- (d) Scope of order. The provisions of paragraphs (b) and (c) of this section shall not apply to the sale and purchase of aluminum pigment or aluminum paint in the course of normal over-the-counter retail distribution to the general public, or to the use of aluminum pigment or aluminum paint by the ultimate consumer. Supplementary Order M-1-e shall not apply to the manufacture or use of aluminum pigment.
- (e) Application for special authorization. Application for special authorization as required by paragraphs (b) and (c) of this section shall be made on Form PD-312.
- (f) Reporting. Each manufacturer of aluminum pigment and each paint formulator and jobber shall, on or before the 15th of April, 1942, and of each succeeding month, report on Form PD-313, his stocks, as of the end of the preceding month, of aluminum pigment and aluminum paint.
- (g) Communications. All reports required to be filed hereunder, and all communications shall, unless otherwise directed, be addressed to the War Production Board, Ref: M-1-g.
- (h) Applicability of Priorities Regulation No. 1. This section and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision may be inconsistent therewith, in which case the provisions of this section shall govern.
- (i) Violations. Any person who wilfully violates any section of this Order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this Order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).
 - (j) Effective date. This section shall take effect immediately upon its issuance and unless sooner terminated by the Director of Industry Operations shall expire on the 31st day of December 1942. (P.D. Reg. 1, amended Dec. 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., 3d Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess.)

Issued this 10th day of March 1942. J. S. KNOWLSON. Director of Industry Operations.

F. R. Doc. 42-2082; Filed, March 10, 1942; .. 11:12 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE PRIORITIES SYSTEM

Interpretation No. 2 of Priorities Regulation No. 11 as Amended

The following interpretation is hereby issued by the Director of Industry Operations with respect to § 944.14, "Inventory Restriction", of Priorities Regulation No. 1, as amended:
The question has been raised, in con-

nection with various seasonal industries, whether a company which is engaged in such an industry and which normally stocks up inventory in advance of the season, is forbidden by the foregoing

Regulation from doing so.

The prohibition against accepting delivery of inventory "in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the products of the Person accepting delivery, on the basis of his current method and rate of operation," does not prevent the acceptance of delivery by such Person of his requirements of the inventory in question provided, (a) that such Person is not guilty of hoarding, and (b) that the deliveries accepted are no greater and no further in advance than those which he would normally accept in the ordinary course of his business to meet reasonably anticipated requirements. (P.D. Reg. 1, amended Dec. 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., 3d Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess.)

Issued this 10th day of March 1942.

J. S. KNOWLSON. Director of Industry Operations.

[F. R. Doc. 42-2083; Filed, March 10, 1942; 11:12 a. m.]

PART 1124-COTTON TEXTILE FABRICS FOR USE AS AGRICULTURAL BAGS

General Preference Order No. M-107

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cotton textile fabrics for use as agricultural bags for defense, for private account and for export; and the following Order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1124.1 General Preference Order M-107—(a) Applicability of Priorities Regulation No. 1.2 This Order and all transactions affected hereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

- (b) Additional definitions. For the purposes of this Order:
- (1) "Agricultural bags" shall mean any new cotton bags or cotton wrapping used to package agricultural products, including, but not limited to, grains, flour, feed, meal, vegetables, nuts, sugar, salt, coffee, seeds, potatoes, beans, and peas, and also including meats, fertilizers, metal abrasives (shot and grit) for use in air and airless cleaning of metal products, and chemicals, even though not agricultural
- (2) "Cotton textile fabrics suitable for agricultural bags" shall mean the constructions listed below:

Osnabura

40" 40/28 2.05 yd. 36" 40/28 7 oz. 36" 32/28 2.85 yd. 40" 32/28 3.55 yd.

30" 40/30 7 oz.

Sheetings

36" 48/48 2.85 yd. 40" 48/44 3.25 yd. 40" 48/44 3.75 yd. 37" 48/48 4.00 yd. 40" 48/40 4.25 yd. 31" 48/48 5.00 yd.

Print Cloth

38½" 64/60 5.35 yd. 38½" 43/48 7.15 yd. 27" 44/44 9.50 yd.

This definition shall also include pro rata widths of like count and weight to the above constructions, provided such other width fabrics, wider or narrower, are produced for the purpose of utilizing maximum productive width of looms or augmenting the supply of square yardage in fabric widths suitable for economical bag manufacture.

(3) "Bag manufacturer" means any person purchasing cotton cloth for manufacturing into agricultural bags for sale or for his own use.

(4) "Dealer" means any person buying agricultural bags for resale to a "user"

as defined in paragraph (b) (5).
(5) "User" means any person accepting delivery of agricultural bags for his use as such.

(c) Assignment of preference rating. Purchase orders by bag manufacturers for cotton textile fabrics suitable for agricultural bags, as defined in paragraph (b) (2) above, are hereby assigned a preference rating of A-2.

(d) Restrictions on manufacturer's supplies of cotton textile fabrics suitable for agricultural bags. No bag manufacturer shall hereafter hold in any mill, warehouse, place of storage, or bag manufacturing plant, any cotton textile fabrics suitable for agricultural bags, as defined in paragraph (b) (2) above, in excess of a practical minimum working inventory, and in no event in excess of the aggregate yardage of such fabrics which will be used by him within sixty

¹6 F.R. 4490, 6682; 7 F.R. 1493.

²6 F.R. 4489, 6680; 7 F.R. 1493.

lowing form:

days after the receipt thereof in such mill, warehouse, place of storage, or bag manufacturing plant

manufacturing plant. (e) Restriction on sale of agricultural bags. No user or dealer shall purchase any agricultural bags manufactured from any cloth obtained by a bag manufacturer pursuant to this Order, unless such user or dealer requires such agricultural

bags for actual use as agricultural bags

within the next sixty days after receipt thereof. No bag manufacturer shall sell, deliver, or in any other manner dispose of agricultural bags to such user or dealer, unless and until such bag manufacturer shall have received from such user or dealer a certificate, manually signed by such user or dealer, or by an individual authorized to sign for such user or dealer, substantially in the fol-

The undersigned hereby certifies to his vendor and to the War Production Board that the agricultural bags covered by the annexed purchase order are needed for sacking and shipping of agricultural products as defined in the General Preference Order No. M-107, and they are needed by him for such use by him or for distribution to others for such use by them; that to the best of the undersigned's knowledge and belief such bags will be so used within the next sixty days after (here insert date when receipt of bags is required). The undersigned further certifies that the amount of agricultural bags, covered by the annexed purchase order, together with all such bags, new and/or second hand, now held by the undersigned, or now scheduled to be received by the undersigned on or before the delivery date specified in the annexed purchase order, will not be in excess of the amount required by him for use in the said sixty-day period.

Dealer or user

Duly authorized signer

No user or dealer shall resell or deliver any unused bags so purchased to any other person, unless and until such user or dealer shall have first received from such other person a certificate in the above form.

(f) Application of preference rating. Any bag manufacturer, in order to apply the preference rating assigned by paragraph (c) to deliveries of cloth to him, must endorse on each purchase order which is covered by the rating assigned hereunder, a statement in the following form, signed by an individual duly authorized for such purpose:

Preference Rating A-2 is applied hereto under General Preference Order M-107, with the terms of which Order the undersigned is familiar. Furthermore, the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby purchased will be placed in process solely for the manufacture of agricultural bags, as defined in paragraph (b) (1). Of the above Order, and that any additions to his holdings at any mill, warehouse, place of storage or bag manufacturing plant, of the fabrics hereby purchased will not increase his total holdings at said locations to an amount in excess of the aggregate yardage of Cotton Textile Fabrics Suitable for Agricultural Bags, as defined in paragraph (b) (2) of the above Order, which he will put into process within sixty days.

Name of manufacturer
By ______
Duly authorized signer

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the purchase order is placed that such purchase order is duly rated in accordance herewith.

- (g) Reports. On or before the 15th day of March, 1942, and on or before the 15th day of each calendar month thereafter, each person with whom one or more statements have been filed pursuant to paragraph (f) hereof, shall prepare and hold for two years, subject to inspection by the War Production Board, a tabulation showing the number and kind of cotton textile fabrics suitable for agricultural bags, as defined in paragraph (b) (2) above, delivered by him during the calendar month immediately preceding. In addition, all persons affected by this Order shall execute and file with the War Production Board such other reports and questionnaires as may be required by said Board from time to time.
- (h) Records. All bag manufacturers, dealers in bags, and users of bags affected by this Order shall maintain for a period of two years subsequent to any transaction for which certification is required, pursuant to paragraphs (e) or (f) hereof, a record of such transactions, subject to inspection at any time by the War Production Board.
- (i) Appeals. Any person affected by this Order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cotton textile fabrics suitable for agricultural bags, as defined in paragraph (b) (2) above, conserved or made available, or that compliance with this Order would disrupt or impair a program of conversion from nondefense to defense work, may appeal in writing to the War Production Board, Reference, M-107, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.
- (j) Communications to the War Production Board. All communications concerning this Order, or any reports required to be filed hereunder, shall, unless otherwise directed, be addressed to: "War Production Board, Washington, D. C., Reference M-107."
- (k) Violations. Any person who wilfully violates any provision of this Order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this Order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).
- (I) Effective date. This Order shall take effect upon the date of issuance hereof. (P.D. Reg. 1; amended December 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9040, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Pub. Law 671,

76th Cong., 3d Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess.)

Issued this 10th day of March 1942.

J. S. Knowlson, Director of Industry Operations.

[F. R. Doc. 42-2081; Filed, March 10, 1942; 11:12 a. m.]

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION

ORDER AMENDING MODIFICATION PROVISION IN CERTAIN REVISED PRICE SCHEDULES

A statement of the considerations involved in the issuance of this Order has been prepared and is issued simultaneously berewith.

Pursuant to the authority of the Emergency Price Control Act of 1942, including section 201 (d), it is hereby ordered that:

Sections: 1301.4, 1302.7, 1303.7, 1304.9, 1306.7, 1307.8, 1308.8, 1314.9, 1306.55, 1316.10, 1309.17, 1312.6, 1309.57, 1334.6, 1333.7, 1339.8, 1312.31, 1309.66, 1335.57, 1340.26, 1337.19, 1342.7, 1312.56, 1335.156, 1345.6, 1347.7, 1335.207, 1347.58, 1307.57, 1335.257, 1316.58, 1335.307, 1335.357, 1335.407, 1325.58, 1346.6, 1306.108, 1335.457, 1306.207, 1312.156, 1346.56, 1351.47, 1351.57, 1351.107, 1306.156, 1351.47, 1351.57, 1351.107, 1351.156, 1312.206, 1330.58, 1314.58, 1352.10, 1354.7, 1353.8, 134.58, 1314.58, 1358.7, 1315.107, 1356.10, 1315.1207, 1301.57, 1335.567, 1355.61, 1357.6, 1340.106, 1363.7, 1363.57, 1362.7, 1335.606, 1335.656, 1303.56, 1349.6, 1336.59, 1336.108, 1360.58, 1380.8, 1316.1257, 1351.258 (second appearance thereof), 1351.307, 1348.6, 1312.256, 1401.7, 1330.107, 1312.306, 1335.756, 1335.906, 1305.57, 1335.856, 1335.856, 1335.556, 1335.956, 1335.956, 1300.59, 1360.59,

----2 Petitions for Amendment.

¹The statement of considerations has been filed with the Division of the Federal Register.

² The applicable section number and schedule number is to be inserted for each Revised Price Schedule, the section number preceding the caption of the section and the schedule number appearing in the text at the space indicated. The respective section numbers and schedule numbers are as follows:

Sections: 1301.4, No. 1; 1302.7, No. 2; 1303.7, No. 3; 1304.9, No. 4; 1306.7, No. 6; 1307.8, No. 7; 1308.8, No. 8; 1314.9, No. 9; 1306.55, No. 10; 1316.10, No. 11; 1309.17, No. 12; 1312.6, No. 13; 1309.57, No. 15; 1334.6, No. 16; 1333.7, No. 17; 1339.8, No. 18; 1312.31, No. 19; 1309.66, No. 20; 1335.57, No. 21; 1340.26, No. 22; 1337.19, No. 23; 1342.7, No. 24; 1312.56, No. 26; 1335.166, No. 28; 1345.6, No. 29; 1347.7, No. 30; 1336.207, No. 31; 1347.58, No. 32; 1307.57, No. 33; 1335.257, No. 34; 1316.58, No. 35; 1335.307, No. 36; 1335.357, No. 37; 1335.407, No. 38; 1325.58, No. 39; 1346.6, No. 40; 1306.108, No. 41; 1335.457, No. 42; 1306.207, No. 43; 1312.156, No. 44; 1346.56, No. 45; 1306.257, No. 46; 1347.107, No. 47; 1306.156, No. 49; 1361.4, No. 50; 1351.57, No. 51; 1351.107, No. 52; 1351.56, No. 53; 1312.206, No. 54; 1330.58, No. 55; 1355.8, No. 56; 1352.10, No. 57; 1354.7, No. 58; 1353.8, No. 59; 1334.58, No. 60; 1314.59, No. 61; 1358.7, No. 62; 1315.107, No. 63; 1356.10, No. 64; 1315.1207, No. 66; 1301.57, No. 67; 1335.507, No. 68; 1355.6, No. 66; 1355.6, No. 69; 1355.61, No. 70; 1357.6, No. 71; 1340.106, No. 72; 1363.7, No.

Persons seeking any modification of this Revised Price Schedule _____ or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 (§§ 1300.1-1300.56)3 issued by the Office of Price Administration.

This Order shall become effective March 10, 1942. Issued this 10th day of March 1942.

> LEON HENDERSON. Administrator.

[F. R. Doc. 42-2097; Filed, March 10, 1942; 11:47 a.m.]

PART 1307-RAW MATERIALS FOR COTTON TEXTILES

AMENDMENT NO. 1 TO REVISED PRICE SCHED-ULE NO. 33 -CARDED COTTON YARNS

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith:5

Section 1307.60 (a) (1) (ii) including footnote 1 thereto and (b) (3) (ii) are amended to read as follows and; a new paragraph (e) is added to § 1307.62 as set forth below: -

§ 1307.60 Appendix A; Maximum prices for carded cotton yarns—(a) Terms of sale. *

(ii) Sales and deliveries of stock yarn. As applied to sales and deliveries of stock yarn, the maximum prices established herein are prices f. o. b. the stock-yarn seller's shipping point.

*

*

* (b) Maximum prices. *

73; 1363.57, No. 74; 1362.7, No. 75; 1335.706, No. 76; 1345.57, No. 77; 1335.556, No. 78; 1335.606, No. 79; 1335.656, No. 80; 1303.56, No. 81; 1349.6, No. 82; 1336.59, No. 83; 1336.103, No. 84; 1360.58, No. 85; 1380.8, No. 86; 1315.1257, No. 87; 1340.156, No. 88; 1316.08, No. 89; 1401.56, No. 90; 1351.257, No. 91; 1351.258 (second appearance thereof), No. 91; 1351.307, No. 92; 1348.6, No. 93; 1312.256, No. 1351.307, No. 92; 1348.6, No. 93; 1312.256, No. 94; 1401.7, No. 95; 1330.107, No. 96; 1312.306, No. 97; 1335.756, No. 98; 1335.806, No. 99; 1306.306, No. 100; 1335.856, No. 101; 1380.57, No. 102; 1335.956, No. 103; 1335.906, No. 104; and 1406.6, No. 105. (Pub. No. 421, 77th Cong., 2d Sess.)

37 F.R. 971. 47 F.R. 1267.

The statement of considerations has been filed with the Division of the Federal Register. As used in Revised Price Schedule No. 33, the term "stock yarn" means carded yarn owned by a person independent of the producer thereof and stored in space (1) owned or leased by such person on February 1, 1942; (2) owned or leased by such person and located within 25 miles of his principal place of business; or (3) approved by the Administrator, upon a duly filed petition for adjustment or exception, as a stock-yarn warehouse established to carry out a legitimate distributive function and not for the purpose of evading Revised Price Schedule No. 33; the term "independent" means not controlling, controlled by, or under common control (3) Premiums and discounts.

(ii) Export sales. A premium of five per cent may be charged by the producer for carded yarns sold for export.

Persons other than the producer, and independent of him, may charge for yarns sold for export a premium which can be justified as commensurate with the difference in cost between the given export sale and a comparable domestic

The maximum prices established herein shall not apply to deliveries against contracts entered into prior to February 2, 1942 for carded yarn to be exported outside the United States, its territories, or possessions, regardless of whether such export is to be effected through a middleman.

§ 1307.62 Effective dates of amendments.

(e) Amendment No. 1 to Revised Price Schedule No. 33, amending § 1307.60 (a) (1) (ii) and (b) (3) (ii), is effective as of February 2, 1942.

(Pub. Law 421, 77th Cong., 2d Sess.) Issued this 9th day of March 1942. LEON HENDERSON,

[F. R. Doc. 42-2056; Filed, March 9, 1942; 3:36 p. m.]

Administrator.

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

AMENDMENT NO. 1 TO REVISED PRICE SCHED-ULE NO. 61 *—LEATHER

A statement of the considerations involved in the issuance of this Amendment has been prepared and is issued simultaneously herewith.

Paragraph (b) of § 1314.59 is hereby amended and a new § 1314.60a is added:

§ 1314.59 Definitions. When used in Price Schedule No. 61, the term:

(b) "Leather" means the tanned or processed skins, other than shearlings, moutons or dressed furs, of animals of all types; the term is applicable to all types, qualities and grades of leather, whether whole pieces or cut stock.

 \S 1314.60a Effective dates of amendments. (a) Amendment No. 1 ($\S\S$ 1314.59 (b) and 1314.60a) to Revised Price Schedule No. 61 shall become effective March 9, 1942.

(Pub. Law 421, 77th Cong., 2d Sess.) Issued this 9th day of March 1942.

> LEON HENDERSON, Administrator.

[F. R. Doc. 42-2059; Filed, March 9, 1942; 5:05 p. m.1

*See § 1307.58 for definition of "for ex-

*See footnote 6 for definition of "Independent".
7 F.R. 1321.

PART 1315-RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COM-PONENT

AMENDMENT NO. 1 TO REVISED PRICE SCHED-ULE NO. 66 ¹⁹—RETREADED AND RECAPPED RUBBER TIRES, THE RETREADING AND RE-CAPPING OF RUBBER TIRES, AND BASIC TIRE CARCASSES

A statement of the considerations involved in the issuance of this Amendment No. 1 has been prepared and issued simultaneously herewith.

Section 1315.1208, paragraph (h) and Tables IV, V, VI, VII, IX, X, XI in § 1315.1210, are amended to read as follows and a new § 1315.1209a is added.

§ 1315.1208 Definitions.

. (h) "Basic tire carcass" means a used rubber tire with a smooth tread or a regrooved non-skid pattern of not more than 732" depth when measured at the shallowest point of such non-skid pattern. A smooth tread means the running surface of a tire from which the tread design has been worn off for a consecutive length of 4" or more, in any direction.

§ 1315.1209a Effective dates of amendments. (a) Amendment No. 1 (§§ 1315.-1208 (h), 1315.1209a, 1315.1210, Tables IV, V, VI, VII, IX, X, XI) to Revised Price Schedule No. 66 shall become effective March 16, 1942. Until such date Revised Price Schedule No. 66 continues in effect as if not amended by Amendment No. 1. Firm commitments entered into before March 16, 1942 for the sale of basic tire carcasses at prices not exceeding the maximum prices established by Price Schedule No. 66, prior to the effective date of Amendment No. 1, March 16, 1942, may be completed at contract prices.

§ 1315.1210 Appendix A: Maximum prices for retreaded and recapped rubber tires, the retreading and recapping of rubber tires, and basic tire carcasses. *

TABLE IV-MAXIMUM PRICES FOR RETREADING, FULL CAPPING, OR TOP CAPPING TRUCK AIRWHEEL TIRES AND FOR TRUCK AIRWHEEL BASIC TIRE CARCASSES 1

Tire size	Retreading, full capping, and top capping	Basic tire carcasses; add this price when- ever any tire carcass is furnished by the selicr
6.00-16 6.00-16 7.00-15 (TA-15) 7.00-16 7.00-16 7.00-16 9.00-13	\$5.00 5.75 6.75 6.85 7.55 7.70 12.80	\$3.60 3.50 4.60 4.60 4.50 5.60

¹ When the tire carcass is furnished by the purchaser, the maximum prices for retreading or recapping such tire are the prices shown in any applicable column to the left of the last column. When the tire carcass is furnished by the seller, the maximum prices for a retreaded or recapped tire are (regardless of the thickness of the rubber on the tread of the tire carcass before it was retreaded or recapped), the sum of the price for the retreading or recapping, shown in any applicable column to the left of the last column, plus the tire carcass price indicated in the last column.

^{₩7} PR. 1333.

TABLE V-MAXIMUM PRICES FOR RETREAD-ING, FULL CAPPING OR TOP CAPPING STOP-START TIRES AND FOR STOP-START BASIC TIRE CARCASSES ¹

	Tìre siz∎	Retread- ing, full capping, and top capping	Basic tire carcasses; add this price when- ever any tire carcass is furnished by the seller
No. 10 No. 13 No. 15 No. 16 No. 18 No. 11 No. 17 No. 19 No. 22 No. 23 No. 40 No. 40 No. 42 No. 42 No. 50 No. 50	6,00-16 6,50-16 7,00-16 7,00-15 7,50-16 5,50-17 0,00-20 6,60-20 7,00-20 7,00-17 7,50-20 8,25-20 9,00-20 10,00-22 11,00-22 11,00-22 11,00-22	23. 15 29. 50 36. 00 44. 50 46. 85 49. 90	\$3.00 3.50 4.00 5.80 2.50 4.20 4.50 6.00 4.50 10.80 12.00 13.20 14.40 14.40

TABLE VI—MAXIMUM PRICES FOR RETREADING, FULL CAPPING, OR TOP CAPPING STUDDED GROUND GRIP TYPES AND FOR STUDDED GROUND GRIP TYPE BASIC TIRE CARCASSES!

Tire size	Retread- ing, full capping, and top capping	Basic tire carcasses; add this price when- ever any tire carcass is furnished by the seller
5. 25-17. 5. 60-17. 6. 00-16. 6. 25-16. 6. 60-16. 7. 00-15. 7. 00-16.	. \$5.35 5.85 6.15 6.80 7.10 8.40 8.60	\$1.50 1.50 1.50 1.50 1.50 1.50

Table VII—MAXIMUM PRICES FOR RETREADING, FULL-CAPPING, OR TOP CAPPING GRADER TIRES AND FOR GRADER TIRE BASIO TIRE CARCASSES!

Tire size	Retread- ing, full capping, and top capping	Basic tire carcasses; add this price when- ever any tire carcass is furnished by the seller
6,00-20. — 6,50-20. — 6,50-20. — 6,50-20. — 6,50-20. — 7,00-21. — 7,60-21. — 8,25-20. — 8,25-24. — 9,00-24. — 10,00-24. (0,75-24). — 11,00-24. (0,15-24). — 12,00-24. (11,25-24). — 13,00-20. (12,75-20). — 13,00-24. (12,75-20). — 13,00-24. (12,75-24). — 14,00-20. (13,69-20). — 14,00-20. (13,69-2	37.65 40.00 41.70	\$4. 20 4. 50 6. 60 7. 20 10. 80 12. 00 13. 20 14. 40 16. 80 18. 00 19. 20

I When the tire carcass is furnished by the purchaser, the maximum ptices for retreading or recapping such tire are the prices shown in any applicable column to the left of the last column. When the tire carcass is furnished by the seller, the maximum prices for a retreaded or recapped tire are (regardless of the thickness of the rubber on the tread of the tire carcass before it was retreaded or recapping, shown in any applicable column to the left of the last column, plus the tire carcass price indicated in the last column.

TABLE IX—MAXIMUM PRICES FOR RETREAD-ING, FULL CAPPING, OR TOP CAPPING GROUND-GRIP TYPE TIRES AND FOR GROUND-GRIP TYPE BASIC TIRE CAR-CASSES 1

Tire size	Retread- ing, full capping, and top capping	Basic tire carcasses; add this price whon- ever any tire carcass is furnished by the seller
6.00-16, 6 ply 6.00-20/30 x 5, 6 ply 6.00-20/30 x 5, 8 ply 6.00-20/30 x 5, 8 ply 6.50-20, 6 ply 6.50-20, 6 ply 6.50-20/32 x 6, 8 ply 7.00-17, 6 ply 7.00-20, 8 ply 7.00-20, 8 ply 7.00-20/32 x 6, 10 ply 7.50-16, 8 ply 7.50-16, 8 ply 7.50-17, 8 ply 7.50-20, 4 x 7, 10 ply 8.25-24 9.00-20/36 x 8 9.00-24/40 x 8 10.00-20/38 x 8 10.00-20/38 x 9 11.00-18 11.00-20 11.00-21 12.00-21 12.00-24 18.00-24 18.00-24 18.00-24 18.00-24 18.00-24 18.00-24 18.00-24 18.00-24 18.00-24 21.00-23, 20 ply 24.00-32, 21 ply 24.00-32, 21 ply 24.00-32, 21 ply 24.00-32, 21 ply 24.00-32, 23 ply 30.00-40, 23 ply 30.00-40, 34 ply 35.00-40, 34 ply	11. 45 14. 40 12. 45 14. 95 18. 35 11. 205 20. 60 27. 60 27. 60 31. 20 29. 95 32. 95 32. 95 32. 95 32. 95 45. 25 49. 10 53. 80 64. 25 68. 80 104. 10 214. 20 333. 70 367. 45 87. 45 1, 614. 40 1, 655. 60	\$3.00 4.20 6.00 4.50 6.00 8.40 4.50 5.80 10.80 11.80 12.00 13.20 14.40 14.40 11.80 15.50 12.00 12.00 13.20 14.00 14.40 16.80 17.20 18.20 19.20 10.20 10.20 10.20 10.20 10.20 10.20 10.20 10.20 10.20 10.20 10.20 10.20 10.20 1

TABLE X-MAXIMUM PRICES FOR RETREAD-ING, FULL CAPPING, OR TOP CAPPING TRUCK AND BUS TIRES, OFF-THE-ROAD TYPES, AND FOR BASIC TIRE CARCASSES:

Tire size	Retread- ing, full capping, and top capping	Basic tire carcasses; add this price when- ever any tire carcass is furnished by the seller
FARTH MOUP	р Пірра	

EARTH MOVES	- IIKES	
7.50-20	\$17, 80	\$7.20
8.25-20	22, 25	10.80
9.00-20	29, 95	12.00
10.00-20 (9.75-20)	37.35	13. 20
11.00-20 (10.50-20)	42.55	14.40
12.00-20	51.00	16.80
13.00-20	58.75	18.00
14.00-20 (13.50-20)	66, 60	19.20
16.00-20	139, 15	22,00
24	152.05	27.50
18.00-24	176. 15	56.00
	333, 70	82, 50
21.00-2424.00-32	844.50	137. 50
		L

HARD ROCK	Tires		
7.00-20 (32 x 6)	\$22.45 29.85 31.90 38.00		\$8.40 9.60 10.80 12.00
24 10.00-20 (9.75-20) 24 (9.75-24) 11.00-20 (10.50-20) 24 (10.50-24)	41.50 48.10 52.10 56.54 62.05		12.00 13.20 13.20 14.40 14.40
12.00-24 12.00-20 12.00-24 (11.25-24) 13.00-24 (12.00-24) 14.00-24 (13.50-24)	74.05 79.30 91.90 119.85		16.80 18.00 18.00
16.00-24	245. 15 276. 00 350. 35	J	33.00 55.00 82.50

TABLE XI—MAXIMUM PRICES FOR RETERADING, FULL CAPPING, OR TOP CAPPING TRACTOR TIRES AND FOR TRACTOR TIRE BASIO TIRE CARCASSES!

st. 40 4.75 5.10 5.95 7.00	Daslo tire carcasses; add this price when- over any tire carcass is furnished by the soller \$1.50 1.50 1.50 1.50
\$4.40 4.75 5.10 5.95 6.25	1.50 1.50 1.50
4.75 5.10 5.95 6.25	1.50 1.50 1.50
7.00 0.00 10.50 7.85 7.90 8.60 8.90 11.60 10.05 10.80 12.00 14.85	1,50 1,50 1,50 1,50 1,50 1,50 1,50 2,20 3,30
,	!
\$9. 85 17. 95 12. 45 12. 95 12. 95 13. 50 32. 95 33. 35 30. 95 33. 25 33. 25 33. 45 43. 30 42. 90 47. 46 53. 16 50 50 50 50 50 50 50 50 50 50 50 50 50	\$3,30 3,85 4,16 4,40 4,40 4,40 6,60 0,60 0,60 0,00 11,00 11,00 12,05 13,76 14,85 15,40 16,95 16,40
	7,90 8,90 11,00 10,03 10,80 11,08 11,85 17,95 22,45 13,50 13,50 13,50 13,50 13,50 13,50 13,50 13,50 13,50 13,50 13,50 13,50 14,85

(Pub. Law 421, 77th Cong., 2d Sess.)
Issued this 7th day of March 1942.

Leon Henderson, Administrator.

[F. R. Doc. 42-2058; Filed, March 9, 1942; 3:38 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

MAXIMUM PRICE REGULATION NO. 107— USED TIRES AND TUBES

In the judgment of the Price Administrator the prices of used tires and tubes have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of used tires and tubes prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deems to be of general applicability. So far as

practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been prepared and is issued simultaneously herewith.1

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,2 issued by the Office of Price Administration, Maximum Price Regulation No. 107 is hereby issued.

§ 1315.1351 Maximum prices for used tires and tubes. On and after March 16, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver and no person in the business of buying or selling used tires or tubes shall buy or receive any used tire or tube, at prices higher than the maximum prices set forth in Appendices A and B hereof, incorporated herein as §§ 1315.1360 and 1315.1361; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of used tires or tubes to a purchaser if prior to March 16, 1942 such used tires or tubes had been received by a carrier, other than a carrier owned or controlled by a seller, for shipment to such purchaser.*

*§§ 1315.1351 to 1315.1361, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2d Sess.

 $\S 1315.1352$ Less than maximum prices. Lower prices than those set forth in Appendices A and B (§§ 1315.1360 and 1315.1361) may be charged, demanded, paid or offered.*

§ 1315.1353 Evasion. (a) The price limitations set forth in this Maximum Price Regulation No. 107 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to any used tires or tubes, alone or in conjunction with any other commodity or by way of commission, service, transportation, repair or other charge, or by tyingagreement, or other trade understanding, or otherwise.

- (b) Specifically, but not exclusively, the following practices are prohibited:
- (1) Increasing the charges for the extension of credit, or for the demounting or mounting of a tire or tube on a vehicle or rim, or for any other service over those in effect on March 7, 1942;
- (2) Making any charges for the extension of credit, or for the demounting or mounting of a tire or tube on a vehicle or rim, or for any other service if no

special and separate charges for such service were made by the seller on March 7, 1942;

(3) Making the terms and conditions of sale more onerous to purchasers than those available or in effect on March 7. 1942:

- (4) Making any charges in addition to the maximum prices for repairs to used tires or tubes sold. The prices set forth in Appendices A and B (§§ 1315.1360 and 1315.1361) are maximum prices for used tires and tubes of the various categories, repaired, if need be, and ready for use.
- (c) The purchaser shall always have the option of paying the full price in cash at the time of the purchase of any used tire or tube. He shall also have the option of receiving delivery of any used tire or tube at the seller's place of business without having it mounted on a vehicle or rim or having any other service performed.*

§ 1315.1354 Posting of prices. Every person engaged in the business of selling used tires or tubes not mounted as part of the equipment of a vehicle, shall keep posted in a conspicuous place in each establishment at which such tires or tubes are offered for sale, a statement setting forth the maximum prices which he is permitted to charge under this Maximum Price Regulation No. 107, and the conditions of sale prescribed by § 1315.1353, Evasion. For this purpose it shall be permissible to employ a copy of the lists of maximum prices printed in Appendices A and B (§§ 1315.1360 and 1315.1361) hereof, and of § 1315.1353, Evasion, hereof if such a copy is then in the hands of such person. This statement or copy shall be posted not later than 8 A. M. on March 16, 1942.

If, on March 7, 1942, the seller made special and separate charges for the extension of credit or for the demounting or mounting of a tire or tube on a vehicle or rim, or for any other service, except the making of repairs, in connection with the sale of a used tire or tube, and if he desires to continue such charges after March 16, 1942, such seller shall prepare a notarized statement listing the prices charged on March 7, 1942, for such extra service and shall post such statement not later than 8 A. M. on March 16, 1942 along with the statement or copy of maximum prices and conditions of sale required to be posted by this section.*

§ 1315.1355 Records and reports. (a) Every person engaged in the business of selling used tires or tubes not mounted as part of the equipment of a vehicle, shall furnish the purchaser with a written statement setting forth the price, size, and type of the tire or tube sold, either stating that the tire sold is a basic tire carcass or giving the thickness in 32nd inches of the tread design depth at the shallowest point, and reciting whether, to the knowledge of the seller, the tire or tube, as the case may be, has been regrooved, is a used retreaded or recapped tire, requires repair, or has been vulcanized or repaired, together with a description of the extent of vulcanizing or repairing if it was done.

(b) Every person engaged in the business of selling used tires or tubes not mounted as part of the equipment of a vehicle, shall keep for inspection by the Office of Price Administration, for a period of not less than two years, complete and accurate records of every sale of such articles including the date thereof, the name and address of the purchaser, the price per unit, the quantity, size, and type of tires or tubes sold, indicating whether each tire was a basic tire carcass or the thickness in 32nd inches of the tread design depth at the shallowest point, and specifying whether the tire or tube, to the knowledge of the seller, needed repair or had been vulcanized or repaired, and if so to what extent, and whether the tire had been regrooved or retreaded or recapped.

(c) Every person engaged in the business of selling used tires or tubes not mounted as part of the equipment of a vehicle, shall keep for inspection by the Office of Price Administration, for a pariod of not less than two years, complete and accurate records of (1) all acquisitions after March 7, 1942 of used tires or tubes, showing the date of each purchase or acquisition, the name and address of the person from whom acquired, the price paid, and the number of tires and tubes acquired, indicating whether they were truck or passenger car tires and tubes and whether such tires were basic tire carcasses of the thickness in 32nd inches of the tread design depth at the shallowest point, and (2) the stocks on hand as of March 7, 1942, and the last day of each succeeding month thereafter.

(d) Such persons shall submit such reports to the Office of Price Administration as it may from time to time re-

quire.*

§ 1315.1356 Enforcement. (a) Persons violating any provision of this Maximum Price Regulation No. 107 will be subject to the civil and criminal penalties provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 107 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.*

§ 1315.1357 Petitions for amendment. Persons seeking any modification of any provision of this Maximum Price Regulation No. 107 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.*

§ 1315.1358 Definitions. (a) When used in this Maximum Price Regulation No. 107 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United

The statement of considerations has been filed with the Division of the Federal Register. 27 F.R. 971.

States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing:

(2) "Purchaser" means a person who buys or offers to buy a used tire or tube;
(3) "Seller" means a person who sells

or offers to sell a used tire or tube:

(4) "Tire" means any rubber tire of the size and type described in Appendices A and B (§§ 1315.1360 and 1315.1361);

(5) "Used tire" means any rubber tire, capable of being used as a tire on a vehicle, of the size and type described in Appendices A and B (§§ 1315.1360 and 1315.1361), which has been run 1,000 miles or more and includes a retreaded or recapped tire which has been run 1,000 miles or more after having been retreaded or recapped;

(6) "Used tube" means any rubber tube, capable of being used as a tube within a tire casing, and of the size and type described in Appendices A and B (§§ 1315.1360 and 1315.1361), which has been run 1,000 miles or more;

(7) "Regrooved tire" means a used rubber tire, into the worn tread of which a new non-skid pattern has been cut or the old non-skid pattern cut deeper, and on which the resulting non-skid pattern is greater than $\frac{2}{32}$ depth when measured at the shallowest point of the nonskid pattern, without exposing breaker strip or fabric foundation;

(8) "Tread depth" means the entire thickness of rubber on the running surface of a tire including the tread design depth and the rubber beneath the tread design reaching to the breaker strip or

fabric foundation;
(9) "Tread design depth" means the thickness of that part of the tread depth only which includes the pattern impressed into the rubber on the running surface of the tire whether originally or in retreading or capping, and does not include designs, patterns, or impresses made by regrooving;

(10) "Smooth tread" means the running surface of a tire from which the tread design has been worn off for a consecutive length of four inches or

more, in any direction;

(11) "Basic tire carcass" means a used rubber tire with a smooth tread or a regrooved non-skid pattern of not more 32" depth when measured at the shallowest point of such non-skid pattern.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.*

§ 1315.1359 Effective date. This Maximum Price Regulation No. 107 (§§ 1315.1351 to 1315.1361, inclusive) shall become effective March 16, 1942.

§ 1315.1360 Appendix A: Maximum prices for used passenger car tires and tubes. (a) The maximum price for any used passenger car tube shall be one dollar and fifty cents (\$1.50).

(b) The maximum price for any used passenger car tire shall be the price listed in Table I-A.

Table I-A-MAXIMUM PRICES FOR USED PASSENGER CAR TIRES

|--|

BALLOON TIRES

3.75-18	\$4,50	\$3.65	\$2, 45	\$1,50
4.00-15	4.30	3.50	2.35	1.50
4.00-18.	4.95	4.05	2.70	1.50
4.25-12	4.70	3.85	2.55	1.50
4.40-21	6.05	4.95	3.30	1.50
4.50-12	5,00	4.10	2.75	1.50
4.50-20	6.05	4.95	3.30	1.50
4.50-21	6.05	4.95	3.30	1.50
4:75-19	6. 10	4.95	3.30	1.50
4.75-20	6.05	4.95	3.30	1.50
4.75-21	6.05	4.95	3.30	1.50
5.00-15 5.00-16	5.95 5.90	4.85 4.80	3.25 3.20	1.50
5.00-17	6, 40	5.20	3.50	1.50
5.00-19	6. 10	4.95	3,30	1.50
5.00-20	6.05	4.95	3.30	1.50
5.00-21	6.05	4.95	3.30	1.50
5.00-22	6.35	5.20	3.45	1.50
5.25-17 5.25-5.50-17	6, 55	5.35	3, 55	1.50
5.25-5.50-17	7.45	6.10	4.05	1.50
5.25-18	6.80	5: 55	3.70	1.50
5.25-19	8.25 8.30	6.75	4.50	1.50
5.25-20 5.25-21	8.30	6.80 6.75	4.55 4.50	1.50 1.50
5.50-16	7. 25	5.90	3.95	1.50
5.50-17	7.45	6.10	4.05	1.50
5.50-18	6.80	5.55	3.70	1.50
5.50-19	8.25	6.75	4.50	1.50
5.50-20	8.30	6, 80	4.55	1.50
6.00-16	8.10	6.65	4.45	1.50
6.00-17	8.80	7.20	4.80	1.50
6.00-6.50-17 6.00-18	8.80 9.50	7.20 7.75	4.80 5.20	1.50 1.50
6.00-19	10.55	8.60	5.75	1.50
6.00-20	11.80	9.65	6.45	1.50
6.00-21	10.50	8.60	5.75	1.50
6. 00-22	10.75	8.80	5.85	1.50
6. 00-23	11.00	9.00	6.00	1.50
6. 25-16 6. 25-6. 50-16	9.15	7.45	5.00	1.50
6. 25-6. 50-16	9.85	8.05	5.35	1.50
6. 50-15 6. 50-16	9.65 9.85	7.90 8.05	5. 25 5. 35	1.50 1.50
6. 50-17	10.65	8.70	5.80	1.50
6. 50-18	9. 50	7.75	5.20	1.50
6. 50-19	10.55	8,60	5.75	1.50
6. 50-20	11.80	9.65	6.45	1.50
7.00-15	10.90	8.90	5.95	1.50
7.00-16	11.15 15.00	9.15	6.10 8.20	1.50
7.00-17	15.00	12.30	8.20	1.50
7.00-18 7.00-19	12.80	10.45	7.00	1.50
7.00-19	15.05 12.95	12.35 10.60	8.20 7.05	1.50 1.50
7.00-21	11.00	9.00	6.00	1.50
7.50-14	12.95	10,60	7.05	1.50
7.50-15	13.55	11.10	7,40	1.50
7.50-16	14, 15	11.60	7.75	1.50
7.50-17	20.45	16.70	11.15	1.50
7.50-18	12.80	10.45	7.00	1.50
7.50-19 8.25-15	15.05 15.50	12.35 12.65	8. 20 8. 45	1.50 1.50
8.25-16	20.50	16.75	11.20	1.80
VIIIV 4V	20.00	40.10	11.20	1 ***

High Pressure Tires								
30 x 3 30 x 3 ¹ / ₂ 31 x 4 32 x 4 32 x 4 33 x 4 33 x 4 33 x 4 34 x 4 34 x 4 34 x 4 35 x 5 36 x 5 37 x 5	\$3.85 5.10 5.25 5.35 5.50 5.65 7.70 5.65 5.80 8.00 5.50 8.50	\$3. 15 4. 15 4. 30 4. 40 4. 50 4. 60 4. 60 4. 75 6. 55 4. 50 4. 50	\$2.10 2.80 2.85 2.95 3.00 3.10 4.20 3.15 4.35 3.00 3.00	\$1.50 1.50 1.50 1.50 1.50 1.50 1.50 1.50				

§ 1315.1361 Appendix B: Maximum prices for used truck and bus tires and tubes. (a) The maximum price for any used truck or bus tire shall be the price listed in Table I-B.

(b) The maximum price for any used truck or bus tube shall be the price listed in Table II-B.

TABLE I-B—MAXIMUM PRICES FOR USED TRUCK AND BUS TIRES

			~		
Tire size	Plies	Tires retaining 342" or more tread design depth, when measured at the shallowest point	Tires retaining more than 452" but less than 352" tread design depth, when measured at the shallowest point	Tires retaining 543" or less tread design depth when measured at the shallowest point	Tires with smooth treads and other basic tire carcasses
6.00-16 6.00-17 6.00-20 6.00-20 6.00-20 6.50-10 6.50-17 6.50-17 7.00-17 7.00-17 7.00-17 7.00-18 7.00-18 7.00-20 7.00-20 7.00-20 7.00-20 7.00-20 7.00-20 7.00-20 7.00-20 7.00-20 7.00-20 7.00-20 7.00-20 7.00-20 7.00-20 7.00-18 7.00-18 7.00-18 7.00-18 7.00-18 7.00-18 7.00-18 7.00-18 7.00-20 7.0	666866688881010688881080110011011011011111111	\$11. 58 13. 225 13. 225 13. 225 13. 225 14. 59 15. 59 16. 59 16. 59 16. 59 17. 70 18. 19. 59 19. 59	\$1.000000000000000000000000000000000000	888888888888888888888888888888888888448888	\$3.000 4.000 4.000 4.000 4.000 4.000 4.000 4.000 4.000 4.000 4.000 6.000

TABLE II-B-MAXIMUM PRICES FOR USED TRUCK AND BUS TUBES

•	Maximum
Tire size:	prices
6.00-16	\$2,00
6.00-17/6.50-17	2,00
6.00-20/30 x 5	2.00
6.50-16	2.00
6.50-20/32 x 6-5''	2.00
7.00-15	2.00
7.00–16	2.00
7.00-17/7.50-17	
7.00-18	2.00
7.00-20/32 x 6-6"	2.70
7.00-24/36 x 6	2.70
7.50-15	2,70
7.50-16	2, 80

TABLE II-B—MAXIMUM PRICES FOR USED TRUCK AND BUS TUBES—Continued

	ıximum
	prices
7.50–18/32 x 7	_ \$3.40
-7.50-20/34 x 7	
7.50-24/38 x 7	3.85
8.25–15	_ 3.90
8.25-18	_ 4.00
8.25-20	4.05
8.25–22	
8.25-24	_ 4.65
9.00-13	_ 4.70
9:00-15	_ 4.70
9.00-18	_ 4.70
9.00-20/36 x 8	_ 4.70
9.00-22	_ 4.90
9.00-24/40 x 8	_ 5.15
10.00-15	_ 4.75
10.00-18	_ 4.90
10.00-20 (9.75-20)/38 x 9	_ 5.00
10.00-22 (9.75-22)	
10.00-24 (9.75-24)	_ 5.35
11.00-20 (10.50-20)	_ 6.00
11.00-22 (10.50-22)	_ 6.40
11.00-24 (10.50-24)	_ 7.10
12.00-20 (11.25-20)	8.00
12.00-24 (11.25-24)	
~ 13.00-20 (12.75-20)	
13.00-24 (12.75-24)	_ 11.80
14.00-20 (13.50-20)	_ 12.30
14.00-24 (13.50-24)	
··· ·- (· · · · · · · · / · · · · · ·	

Issued this 7th day of March 1942.

Leon Henderson,

Administrator.

[F R. Doc. 42-2057; Filed, March 9, 1942; 3:37 p. m.]

PART 1364—FRESH, SMOKED, AND CANNED MEAT PRODUCTS

TEMPORARY MAXIMUM PRICE REGULATION NO. 8—DRESSED HOGS AND WHOLESALE FORK CUTS

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, to issue a Temporary Regulation, establishing as the maximum prices for dressed hogs or wholesale pork cuts the prices prevailing with respect thereto within five days prior to the issuance of this Regulation.

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which dressed hogs and wholesale pork cuts are produced a price for their products equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) the market prices prevailing for such commodity on October 1, 1941; (3) the market prices prevailing for such commodity on December 15, 1941; or (4) the average prices for such commodity during the period July 1, 1919, to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, Temporary Maximum Price Regulation No. 8 is hereby issued.

§ 1364.1 Maximum prices for dressed hogs and wholesale pork cuts. (a) From March 23, 1942, to May 21, 1942, inclusive, regardless of any contract, agreement, or other obligation, no person shall sell or deliver, or offer, solicit, attempt, or agree to sell or deliver dressed hogs or wholesale pork cuts at prices higher than the maximum prices therefor. The provisions of this Section shall not be applicable to sales or deliveries of dressed hogs or wholesale pork cuts to a purchaser if, prior to March 23, 1942, such dressed hogs or wholesale pork cuts have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) Except as provided in paragraph (c) of this Temporary Maximum Price Regulation No. 8, the maximum price for each dressed hog or wholesale pork cut shall be the highest price at which such dressed hog or wholesale pork cut was listed in the price list or lists upon which the seller based his price quotations at the delivery point during the period March 3, 1942, to March 7, 1942, inclu-sive: Provided (1) That where the seller, because of unusual transportation, packaging and handling costs, customarily sold to certain buyers during the ninety day period prior to March 9, 1942 at prices higher than the list prices, he may continue to include such unusual costs as are actually incurred in the sales to those buyers; and (2) That the seller must continue to allow all the shading privileges or discounts from his price list or lists which were customary during the ninety day period prior to March 9, 1942 and which were based on cost differentials arising from low transportation or packaging costs or any other saving in the cost of handling; except that the provisions of this Proviso No. 2 of paragraph (b) shall not apply to any sales of dressed hogs or wholesale pork cuts to the Federal Surplus Commodities Corporation or to any purchasing agency of the armed forces of the United States.

(c) Where the seller customarily sold dressed hogs or wholesale pork cuts to certain buyers during the ninety day period prior to March 9, 1942 at prices based upon market quotations rather than upon his price list or lists, the maximum prices to such buyers shall be the highest prices at which such dressed hogs or wholesale pork cuts were listed in such market quotations during the period March 3, 1942, to March 7, 1942, inclusive, making adjustment for the transportation differentials which were in effect during the ninety day period.

(d) If the maximum price for any dressed hog or wholesale pork cut cannot be determined under paragraphs (b) or (c) above, the maximum price shall be the highest price at which the seller contracted or agreed, during the period March 3, 1942 to March 7, 1942 inclusive, to sell such dressed hog or wholesale

pork cut to a similar purchaser in the locality of the delivery point.

(e) If the maximum price cannot be determined under paragraphs (b), (c), or (d) above, the maximum price shall be the highest price at which the seller contracted or agreed, during the period March 3, 1942 to March 7, 1942 inclusive, to sell such dressed hog or wholesale pork cut to a similar purchaser at the nearest delivery point, making adjustment for the differences between transportation charges from the seller's shipping point to each of the two delivery points.

(f) If the maximum price cannot be determined under paragraphs (b), (c), (d), or (e) above, the maximum price shall be the highest price at which any seller contracted or agreed, during the period March 3, 1942 to March 7, 1942 inclusive, to sell such dressed hog or wholesale pork cut to a buyer in the locality of the delivery point.*

*§§ 1364.1 to 1364.12, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2d Sess.

§ 1364.2 Conditional agreements. No seller of dressed hogs or wholesale pork cuts shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.1, in the event that this Temporary Maximum Price Regulation No. 8 is amended or is determined by a court to be invalid or upon any other contingency: Provided. That if a petition for amendment has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this Section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.*

§ 1364.3 Exempt sales. The provisions of this Temporary Maximum Price Regulation No. 8 shall not apply to sales at retail.*

§ 1364.4 Less than maximum prices. Lower prices than those set forth in § 1364.1 may be charged, demanded, paid, or offered.*

§ 1364.5 Evasion. The price limitations set forth in this Temporary Maximum Price Regulation No. 8 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to, dressed hogs or wholesale pork cuts, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the style of cutting, curing, smoking, or pickling dressed hogs or wholesale pork cuts, or otherwise.*

§ 1364.6 Records and reports. (a) Not later than March 21, 1942 every person

¹7 F.R. 971,

making sales subject to § 1364.1 above. shall file with the Office of Price Administration in Washington, D. C., a copy of each and every price list, together with all amendments thereto, used by him during the periods February 23, 1942 to February 28, 1942 inclusive and March 3, 1942 to March 7, 1942 inclusive, upon which he based his sales price quotations. He shall also submit a sworn statement certifying (1) that such copy or copies are true and correct; (2) the area or areas in which each list was applicable; (3) the period during which each such list was in effect; (4) customary deductions from and additions to the list prices, representing the cost differentials referred to in paragraph (b) of § 1364.1; and (5) whether the prices quoted in such list were delivered prices or f. o. b. seller's shipping point.

- (b) Every person who files a price list with the Office of Price Administration pursuant to the provisions of the above paragraph shall attach thereto a sworn statement indicating whether any of his sales of dressed hogs or wholesale pork cuts during the period March 3, 1942 to March 7, 1942 were based upon market quotations rather than on his price list or lists. Such statement shall identify (1) each purchaser to whom such a sale was made; (2) customary transportation charge differentials in sales to him; and (3) the market quotations upon which the sales to him were based.
- (c) Every person making a sale of any dressed hogs or wholesale pork cuts during the period March 23, 1942, to May 21, 1942, inclusive, in the course of trade or business or otherwise dealing -therein, shall make and preserve for a period of not less than one year complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer and seller, the quantity and weight sold, and the price charged or received therefor.
- (d) Persons affected by this Temporary Maximum Price Regulation No. 8 shall submit such other reports to the Office of Price Administration as it may from time to time require.*
- § 1364.7 Validity of price list. (a) No price list may be used as the basis for determining the seller's maximum prices under the provisions of paragraph (b) of § 1364.1 of this Regulation, unless the prices contained therein reasonably approximate the prices at which the seller actually sold, during the period March 3, 1942 to March 7, 1942, inclusive, the items listed therein.
- (b) If any seller who has submitted a price list or lists according to the provisions of § 1364.6 (a) is requested by the Office of Price Administration to show that such prices do so approximate his actual selling prices, he shall make such showing to the satisfaction of the Office of Price Administration within two weeks of his receipt of such request.*
- § 1364.8 Enforcement. (a) Persons violating any provision of this Temporary Maximum Price Regulation No. 8 are subject to the criminal penalties, civil enforcement actions, and suits for treble

damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Temporary Maximum Price Regulation No. 8 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.*

§ 1364.9 Petitions for amendment. Persons seeking modification of any provision of this Temporary Maximum Price Regulation No. 8 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.*

§ 1364.10 *Definitions*. (a) When used in this Temporary Maximum Price Regulation No. 8, the term:

(1) "Person" means individual, corporation, partnership, association, car route, packer's branch house, or other organized group of persons, or legal successor or representative of any of the foregoing;

(2) "Wholesale pork cuts" means only the following standard cuts:

Regular Hams Fresh or Frozen.

Regular Hams Cured. Regular Hams Smoked. Regular Hams Boiled. Regular Hams Baked. Skinned Hams Baked. Skinned Hams Boned and Rolled. Picnics Fresh or Frozen. Picnics Cured. Picnics Smoked. Picnics Boned and Rolled. Shoulders Fresh or Frozen. Shoulders Cured. Shoulders Smoked. Shoulders Boned and Rolled. Regular Pork Loins Fresh or Frozen. Boneless Pork Loins. Canned or Packaged Spiced Luncheon Meat Made Entirely From Pork. Regular Hams Boned and Rolled. Skinned Hams Fresh or Frozen. Skinned Hams Cured. Skinned Hams Smoked. Skinned Hams Boiled. Boston Butts Fresh or Frozen. Bellies Fresh or Frozen. Bellies Dry Cured or Dry Salt Cured. Bellies Sweet Pickle Cured. Bellies Dry Salt Cured and Smoked. Smoked Slab Bacon. Canadian Bacon. Canadian Sliced Bacon. Sliced Bacon. Fat Backs Fresh or Frozen. Fat Backs Cured. Spare Ribs Fresh or Frozen.

Cuts of different weights of any of the above items shall be considered separate wholesale pork cuts.

Canned or Packaged Spiced Ham.

(3) "Price list" means the list of prices in writing, prepared by the seller, upon the basis of which the prices of dressed hogs or wholesale pork cuts are quoted;

- (4) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no wholesaler, processor, packer, slaughterer, purchaser for resale, commercial user, or government agency, shall be deemed to be an ultimate consumer;
- (5) "Locality of the Delivery Point" means all places at which the seller customarily sells the same dressed hogs or wholesale pork cuts at the same prices as those at which he sells at the delivery point:
- (6) "Similar", when used in the phrase "similar purchaser", refers to the type of purchaser to whom the same price customarily applied during the ninety day period prior to March 9, 1942.
- (b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.*
- § 1364.11 Replacement of Regulation. This Temporary Maximum Price Regulation No. 8 may be replaced by a permanent Maximum Price Regulation or Order issued under the Emergency Price Control Act of 1942.*
- § 1364.12 Effective period. This Temporary Maximum Regulation No. 8 shall become effective on March 23, 1942, and shall, unless earlier revoked or replaced, expire at 12 o'clock midnight, May 21, 1942.*

Issued this 9th day of March 1942.

Leon Henderson,

Administrator.

[F. R. Doc. 42-2060; Filed, March 9, 1942; 5:05 p. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

AMENDMENT NO. 1 TO REVISED PRICE SCHEDULE NO. 95 1—NYLON HOSE

Paragraph (a) of § 1401.1 is amended to read as follows and a new § 1401.9a is added as set forth below:

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith:

§ 1401.1 Maximum prices for nylon hose. (a) On or after February 10, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer nylon hose and no person shall buy, offer to buy, or accept delivery of nylon hose, at prices higher than the maximum prices set forth in § 1401.10, Appendix A: Provided, That contracts entered into on or after February 5 and prior to February 10, 1942, at prices not exceeding the maximum prices established by this Price Schedule (§§ 1401.1 to 1401.9, inclusive) during such period * may be carried out at the contract price.

²7 F.R. 1386.

The Statement of Considerations has been filed with the Division of the Federal Register.

^{*7} F.R. 765, 822.

§ 1401.9a Effective dates of amendments. (a) Amendment No. 1 (§§ 1401.1 (a), 1401.9a) to Revised Price Schedule No. 95 shall become effective March 10, 1942.

(Pub. Law 421, 77th Cong., 2d Sess.)
Issued this 9th day of March 1942.
LEON HENDERSON,
Administrator.

[F. R. Doc. 42-2055; Filed, March 9, 1942; 3:35 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

[Docket No. B-224]

IN THE MATTER OF JOHN A. MCNULTY, JR., CODE MEMBER, DEFENDANT

NOTICE OF AND ORDER FOR HEARING

A complaint dated February 9, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been duly filed on February 12, 1942, by Bituminous Coal Producers Board for District No. 9, a district board, complainant, with the Bituminous Coal Division alleging willful wiolation by the defendant of the Bituminous Coal Code or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on April 20, 1942, at 10 a.m., at a hearing room of the Bituminous Coal Division at the Post Office Building,

Owensboro, Kentucky.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Bituminous Coal Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice. and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said defendant and to all other parties herein and to all persons and entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Bituminous Coal Division at its Washington office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the defendant; and that any defendant failing to file an answer within such period, unless otherwise ordered, shall be deemed to have admitted the allegations of the complaint herein and to have consented to the entry of an appropriate order on the basis of the facts alleged.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

to be guided accordingly.

The matter concerned herewith is in regard to the complaint filed by said complainant, alleging willful violation by the above-named defendant of the Bituminous Coal Code or rules and regulations thereunder as follows:

That the defendant, John A. McNulty, Jr., whose address is Owensboro, Kentucky, wilfully violated section 4 Part II (e) and (g) of the Bituminous Coal Act of 1937 and Part II (e) and (g) of the Bituminous Coal Code by selling and delivering by truck during the period August 27 through September 7, 1941, to the Daviess County Board of Education, Owensboro, Kentucky, approximately 73.36 tons of 11/2" lump coal produced at the defendant's J. Lee Rudy Mine, Mine Index No. 246, located in District No. 9, Daviess County, Kentucky, at a delivered price of \$2.04 per net ton, whereas said coal was classified as Size Group 6 and priced at \$1.70 per net ton f. o. b. said mine, as set forth in the Schedule of Effective Minimum Prices for District No. 9 for Truck Shipments. In these transactions said defendant failed to add to the applicable minimum f. o. b. mine price an amount not less than the estimated actual cost, arrived at in good faith in a reasonable manner, of the truck transportation from the mine to the Whitesville School at Whitesville, Kentucky, and the Philpot School at Philpot, Kentucky, distances of approximately 19 and 12 miles, respectively, as required by Price Instruction 5 of Supplement No. 1 of said Schedule.

Notice is also hereby given that if it shall be determined that the Code member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code member in the Bituminous Coal Code or directing the Code member to cease and desist from violating the Bituminous Coal Code and regulations made thereunder.

Dated: March 9, 1942.

DAN H. WHEELER, Acting Director.

[F. R. Doc. 42-2075; Filed, March 10, 1942; 10:18 a. m.]

[Docket No. C-6]

IN THE MATTER OF THE APPLICATION OF EMERALD COAL AND COKE COMPANY FOR APPROVAL OF A CONTRACT FOR THE SALE OF COAL PURSUANT TO RULE 5 OF SEC-TION VI OF THE MARKETING RULES AND REGULATIONS

ORDER POSTPONING HEARING

The original petitioner having moved that the hearing in the above-entitled matter heretofore scheduled for March 10, 1942, be postponed for a period of ninety days, and having shown good cause why said motion should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from March 10, 1942, until 10 o'clock in the forenoon of June 9, 1942, at the place and before the officers heretofore designated.

Dated: March 9, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[P. R. Doc. 42-2076; Filed, March 10, 1942; 10:18 a. m.]

[Docket No. B-198]

IN THE MATTER OF BOOTH, INC., REGISTERED DISTRIBUTOR, REGISTRATION NO. 0928

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing on March 11, 1942, at 10 a.m. at a hearing room of the Bituminous Coal Division at the Federal Building, Catlettsburg, Kentucky; and

The above-named registered distributor having filed with the Division an application based upon admissions for disposition of compliance proceeding without formal hearing pursuant to \$301.132 of the Rules of Practice and Procedure: and

It appearing to the Acting Director that under such circumstances it is advisable to postpone said hearing.

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and the same is hereby postponed to a date and at a hearing room to be hereafter designated by an appropriate Order.

Dated: March 9, 1942.

EAL] DAN H. WHEELER,
Acting Director.

[P. R. Doc. 42-2077; Filed, March 10, 1942; 10:18 a. m.]

[Docket No. B-29]

IN THE MATTER OF CHIARAMONTE COAL COMPANY (JOE CHIARAMONTE), DEFEND-ANT

ORDER OF DISMISSAL

District Board 18 having filed a complaint with the Bituminous Coal Division on June 30, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging wilful violation by the defendant, Chiara-

monte Coal Company, a code member in District 18, of the Bituminous Coal Code and rules and regulations thereunder as follows:

By selling during the month of January 1941, to the Gallup Mercantile Company, of Gallup, New Mexico, approximately 112.5 tons of slack coal (Size Group 11), produced at the Chiaramonte Mine (Mine Index No. 106), at a delivered price of \$1.90 per net ton whereas the effective minimum price for such coal for truck shipment was \$1.90 per net ton f. o. b. the mine, plus at least the actual cost of delivering the coal from the mine to the purchaser;

The defendant having filed an answer denying material allegations of the complaint;

Pursuant to an Order of the Director and after due notice to interested persons, a hearing in this matter having been held on December 4, 1941, before a duly designated Examiner of the Division at a hearing room thereof in Albuquerque, New Mexico, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

Appearances having been entered at the hearing by the complainant, District Board 18, and the defendant;

The preparation and filing of a report by the Examiner having been waived and the matter thereupon having been submitted to the undersigned:

The undersigned having made Findings of Fact and Conclusions of Law, and having rendered an Opinion in this matter, which are filed herewith:

Now, therefore, it is ordered, That the complaint filed herein against the Chiaramonte Coal Company (Joe Chiaramonte) be and hereby is dismissed.

Dated: March 7, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-2078; Filed, March 10, 1942; 10:18 a. m.]

[Docket No. A-721 Part II]

PETITION OF DISTRICT BOARD NO. 3 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF MINE INDEX NO. 1193 OF DISTRICT NO. 3, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER GRANTING MOTION FOR CONTINUANCE

The original petitioner having filed a motion to continue the reopened hearing in the above-entitled matter heretofore scheduled for March 9, 1942, for a period of 30 days; and

It appearing that good cause has been shown why such hearing should be so continued:

Now, therefore, it is ordered, That the said motion be, and it hereby is, granted.

It is further ordered, That the hearing in the above-entitled matter be, and it hereby is, continued from 10 o'clock in the forenoon of March 9, 1942, until 10 o'clock in the forenoon of April 8, 1942,

at the place and before the officer heretofore designated.

Dated: March 7, 1942.

[SEAL]

Dan H. Wheeler, Acting Director.

[F. R. Doc. 42-2079; Filed, March 10, 1942; 10:19 a. m.]

[Docket Nos. A-1309, and A-1309, Part II]

PETITION OF DISTRICT BOARD NO. 15 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 15 AND PETITION OF DISTRICT BOARD NO. 15 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF MINE INDEX NOS. 1579 AND 1587 AND FOR REVISION IN THE PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF MINE INDEX NOS. 890 AND 164 IN DISTRICT NO. 15

MEMORANDUM OPINION AND ORDER SEVERING DOCKET NO. A-1309, PART II FROM DOCKET NO. A-1309, GRANTING CERTAIN TEMPO-RARY RELIEF IN DOCKET NO. A-1309, PART II AND NOTICE OF AND ORDER FOR HEARING IN DOCKET NO. A-1309, PART II

The original petition filed with this Division by the above-named party in Docket No. A-1309, pursuant to section 4 JI (d) of the Bituminous Coal Act of 1937, requests the establishment of temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 15; a change in the county designation of Mine Index No. 890 of code member M. R. Phears in that district; and certain revisions in the price classifications and minimum prices for the coals of Mine Index No. 164 of the R. & R. Coal Co. in that district, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

As indicated in a separate order issued in Docket No. A-1309, a reasonable showing of necessity has been made for the granting of the relief prayed for by petitioner except with respect to the establishment of permanent price classifications and minimum prices for the coals of Mine Index No. 1587 of code member Pearson & Son and of Mine Index No. 1579 of code member James Trent, both in Production Group No. 3, Putnam County, Missouri, and with respect to the revisions requested relating to Mine Index Nos. 890 and 164.

On February 18, 1942, a petition of intervention was filed in this matter by District Board No. 12 praying that the permanent establishment of the price classifications and minimum prices proposed by the original petitioner for the coals of Mine Index Nos. 1587 and 1579 be denied pending final determination of related and analogous issues in Dockets Nos. A-179 and A-492, which were consolidated by the order of May 12, 1941, therein, and that the request in the original petition for a reduction of 20 cents per ton in the proposed minimum price for the mine run coals of those mines containing 30% or more screenings that will pass through a 14" screen also be denied.

After due consideration it appears that an adequate showing of necessity has been made and that temporary relief should be granted as to the coals of Mine Index Nos. 1587 and 1579 as prayed for by the original peti-tioner, in respect to the proposed price classifications and minimum prices therefor and the proposed reduction in such minimum prices for the mine run (Size Group 9) coals containing more than the said percentage of screenings. It appears, however, that the original petition does not allege sufficient facts for the granting of permanent relief in those respects, without a hearing. Moreover, it also appears that the petition does not allege sufficient facts for the granting of relief with respect to the requested change in county designation of Mine Index No. 890, the requested change in the production group number and the proposed revisions in the price classifications and minimum prices presently effective for the coals of Mine Index No. 164, without a hearing.

Now, therefore, it is ordered, That the portion of Docket No. A-1309 relating to the coals of Mine Index No. 890 of M. R. Phears, Mine Index No. 164 of the R. & R. Coal Co., Mine Index No. 1587 of Pearson and Son, and Mine Index No. 1579 of James Trent be and it hereby is severed from the remainder of Docket No. A-1309 and designated as Docket No. A-1309, Part II.

It is further ordered, That a hearing in Docket No. A-1309, Part II under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on March 24, 1942, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Room 536, Dwight Building, in Kansas City, Missouri.

It is further ordered, That Scott A. Dahlquist or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses. compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions of law and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on

the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 19, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of the original petition.

The matter concerned herewith is in regard to the petition of District Board No. 15 for (1) the establishment of price classifications and minimum prices for the coals of Mine Index No. 1587 of Pearson and Son and of Mine Index No. 1579 of James Trent for truck shipments and of a reduction of 20 cents per ton in the minimum price for such coals in Size Group 9 (mine run) containing 30% or more screenings that will pass through 1½" screen; (2) for a change from Monroe (Missouri) to Ralls (Missouri) in the county designation of Mine Index No.

890 of M. R. Phears; and (3) for certain reductions in the minimum prices for the coals of Mine Index No. 164 of the R. & R. Coal Co., for truck shipments, as follows:

			Prices		
Size groups	1	2	3	4	6
From	485	485	485	435	385
To	435	435	435	385	335

for revision in certain effective minimum prices for those coals, for shipment by rail, by changing them from the prices now effective for all coals, for rail shipment, produced in Production Group 7 to the prices now effective for all coals, for rail shipment, produced in Production Group 8 in District No. 15; and for a corresponding change from 7 to 8 in the production group number of that mine (Mine Index No. 164).

It is further ordered that temporary relief, pending final disposition of Docket No. A-1309, Part II, is hereby granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 15 for Truck Shipments is supplemented to include the following price classifications and minimum prices:

District No. 15 (truck shipments) prices in cents per net ton for shipment into all market areas

Mine index No.	C	ode member	Mine name	Produc- tion group No.	County
1587 1579	Pearson & Son Trent, James (Trent Coal Co.)	William Gray	3	Putnam, Mo. Putnam, Mo.
		Prices and size g	roup numbers		·
Min	Index Nos		Size groups		

Mine Index Nos.							Size	group	s					
	1	2	3	4	5	6	7	8	9	10	11	12	14	15
1587 1579	230 230	230 230	230 230	230 230	230 230	215 215	200 200	190 190	23) 23)	185 185	210 210	195 195	135 135	218 333

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: March 9, 1942.

[SEAL]

Dan H. Wheeler,
Acting Director.

[F. R. Doc. 42-2080; Filed, March 10, 1942; 10:19 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DESIGNATION OF LOCALITIES IN COUNTY IN WHICH LOANS, PURSUANT TO TITLE I OF THE BANKHEAD-JONES FARM TENANT ACT, MAY BE MADE

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

Region V-Alabama

Cleburne County:

Locality I—Consisting of Precincts 6, 7, 8, 9, 10, 11, 12, and 14, \$1,399. Locality II—Consisting of Precincts 1, 2, 3, 4, and 15, \$846.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved March 2, 1942.

[SEAL]

C. B. BALDWIN, Administrator.

[F. R. Doc. 42-2084; Filed, March 10, 1942; 11:30 a. m.]

FEDERAL COMMUNICATIONS COM-MISSION.

[Docket No. 6003]

In Re Application of Granite District Radio Broadcasting Co., Murray, Utah, for Construction Permit

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 3d day of March 1942;

The Commission having under consideration the application of Granite District Radio Broadcasting Company for construction permit (Docket No. 6003) and the proceedings held thereon; and

It appearing, that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58,106), which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

1. To determine whether the proposed construction involves the use of any materials of a type determined by the War Production Board to be critical.

2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and populations.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58,106).

4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 42-2064; Filed, March 10, 1942; 9:50 a. m.]

[Docket No. 6190]

In Re Application of Newark Broadcasting Corporation, Newark, New Jersey, for Costruction Permit

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 4th day of March 1942;

The Commission having under consideration the application of Newark Broadcasting Corporation for construction permit (Docket No. 6190) and the proceedings held thereon; and

It appearing, that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter:

It is, therefore, ordered, that the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

- 1. To determine whether the proposed construction involves the use of any critical materials.
- 2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.
- 3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).
- 4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. Slowie, Secretary.

[F. R. Doc. 42-2061; Filed, March 10, 1942; 9:49 a. m.]

[Docket No. 6131]

IN RE APPLICATION OF HENNESSY BROAD-CASTING COMPANY, BUTTE, MONTANA, FOR CONSTRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 4th day of March 1942;

The Commission having under consideration the application of Hennessy Broadcasting Company for construction permit (Docket No. 6131) and the proceedings held thereon; and

- It appearing, that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter:
- It is, therefore, ordered, that the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:
- 1. To determine whether the proposed construction involves the use of any critical materials.
- 2. To determine the areas and populations which would receive primary serv-

ice from the proposed station, and what broadcast service is already available to such areas and population.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).

4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. Slowie, Secretary.

[F. R. Doc. 42-2062; Filed, March 10, 1942; 9:49 a. m.]

[Docket No. 6157]

IN RE APPLICATION OF LOUISIANA COMMU-NICATIONS, INC. (NEW) BATON ROUGE, LOUISIANA FOR CONSTRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 4th day of March 1942;

The Commission having under consideration the application of Louisiana Communications, Inc. for construction permit (Docket No. 6157) and the proceedings held thereon; and

It appearing that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

- 1. To determine whether the proposed construction involves the use of any critical materials.
- 2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.
- 3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).
- 4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. Slowie, Secretary.

[F. R. Doc. 42-2063; Filed, March 10, 1942; 9:49 a. in.]

[Docket No. 6141]

IN RE APPLICATION OF MIDSTATE RADIO, CORPORATION, UTICA, NEW YORK, FOR CONSTRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 4th day of March 1942;

The Commission having under consideration the application of Midstate Radio Corporation for construction permit (Docket No. 6141) and the proceedings held thereon; and

It appearing that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

1. To determine whether the proposed construction involves the use of any critical materials.

2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.

- 3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).
- 4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. Slowie, Secretary.

[F. R. Doc. 42-2065; Filed, March 10, 1942; 9:50 a. m.]

[Docket No. 6043]

IN RE APPLICATION OF UTICA OBSERVER-DISPATCH, INC., UTICA, NEW YORK, FOR CONSTRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of March 1942;

The Commission having under consideration the application of Utica Observer-Dispatch, Inc., for construction permit (Docket No. 6043) and the proceedings held thereon; and

It appearing that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion,

dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the aboveentitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

1. To determine whether the proposed construction involves the use of any critical materials.

2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).

4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the

above-entitled application.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 42-2066; Filed, March 10, 1942; 9:51 a. m.]

[Docket No. 6150]

IN RE APPLICATION OF WBAM, INCORPO-RATED, BIRMINGHAM, ALABAMA, FOR CON-STRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 4th day of March 1942;

The Commission having under consideration the application of WBAM, Incorporated for construction permit (Docket No. 6150) and the proceedings held thereon; and

It appearing that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the aboveentitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hear-

ing on the following issues:

1. To determine whether the proposed construction involves the use of any critical materials.

2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).

4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

T. J. SLOWIE, Secretary.

[F. R. Doc. 42-2087; Filed, March 10, 1942; 9:51 a. m.]

[Docket No. 6140]

IN RE APPLICATION OF UTICA BROADCASTING COMPANY, INC., UTICA, NEW YORK, FOR CONSTRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of March 1942;

The Commission having under consideration the application of Utica Broadcasting Company, Inc. for construction permit (Docket No. 6140) and the pro-

ceedings held thereon; and

It appearing that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the aboveentitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

1. To determine whether the proposed construction involves the use of any critical materials.

2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).

4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. SLOWIE. Secretary.

[F. R. Doc. 42-2068; Filed, March 10, 1942; 9:51 a. m.]

[Docket No. 6193]

IN RE APPLICATION OF TENNESSEE RADIO CORPORATION (NEW), NASHVILLE, TEN-NESSEE, FOR CONSTRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of March 1942:

The Commission having under consideration the application of Tennessee Radio Corporation for construction permit (Docket No. 6193) and the proceedings

held thereon; and

It appearing that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not here-tofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

1. To determine whether the proposed construction involves the use of any critical materials.

2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).

4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[P. R. Doc. 42-2069; Filed, March 10, 1942; 9:51 a. m.]

[Docket No. 6147]

IN RE APPLICATION OF GEORGE JOHNSTON. JR., BIRMINGHAM, ALABAMA, FOR CON-STRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of March 1942;

The Commission having under consideration the application of George Johnston, Jr., for construction permit (Docket No. 6147) and the proceedings held thereon; and

It appearing that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

- 1. To determine whether the proposed construction involves the use of any critical materials.
- 2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.
- 3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).
- 4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 42-2070; Filed, March 10, 1942; 9:52 a. m.]

[Docket No. 6134]

IN RE APPLICATION OF JEFFERSON BROAD-CASTING CORPORATION, BIRMINGHAM, ALABAMA, FOR CONSTRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 4th day of March, 1942;

The Commission having under consideration the application of Jefferson Broadcasting Corporation for construction permit (Docket No. 6134) and the proceedings held thereon; and

It appearing, that subsequent to the hearing held on said application the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

- 1. To determine whether the proposed construction involves the use of any critical materials.
- 2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).

4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 42-2071; Filed, March 10, 1942; 9:52 a. m.]

[Docket No. 6155]

IN RE APPLICATION OF AIR-WAVES, INC. (NEW), BATON ROUGE, LOUISIANA, FOR CONSTRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of March, 1942;

The Commission having under consideration the application of Air-Waves, Inc. for construction permit (Docket No. 6155) and the proceedings held thereon; and

It appearing, that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

1. To determine whether the proposed construction involves the use of any critical materials.

2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).

4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 42-2072; Filed, March 10, 1942; 9:52 a. m.]

[Docket No. 6191]

IN RE APPLICATION OF R. O. HARDIN AND J. C. Buchanan d/b as Nashville Broadcasting Company (New), Nashville, Tennessee, for Construction Permit

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 4th day of March, 1942;

The Commission having under consideration the application of R. O. Hardin and J. C. Buchanan, d/b as Nashville Broadcasting Company for construction permit (Docket No. 6191) and the pro-

ceedings held thereon; and

It appearing, that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion, dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

1. To determine whether the proposed construction involves the use of any critical materials.

2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to such areas and population.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).

4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. Slowie, Secretary.

[F. R. Doc. 42-2073; Filed, March 10, 1942; 9:52 a. m.]

[Docket No. 6132]

In RE APPLICATION OF BARCLAY CRAIGHEAD, BUTTE, MONTANA, FOR CONSTRUCTION PERMIT

ORDER REOPENING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 4th day of March, 1942;

The Commission having under consideration the application of Barclay Craighead for construction permit (Docket No. 6132) and the proceedings held thereon; and

It appearing, that subsequent to the hearing held on said application, the Commission adopted a policy with respect to the granting of construction permits for new broadcast stations (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106), which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing

on the following issues:

1. To determine whether the proposed construction involves the use of any critical materials.

2. To determine the areas and populations which would receive primary service from the proposed station, and what broadcast service is already available to

such areas and population.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission with respect to authorizations involving the use of critical materials (see Commission's Memorandum Opinion dated February 23, 1942, Mimeograph No. 58106).

4. To determine whether, in view of the facts shown on all of the issues, public interest, convenience, or necessity would be served by the granting of the above-entitled application.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

.[F. R. Doc. 42-2074; Filed, March 10, 1942; 9:53 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. IT-5765, IT-5766]

IN THE MATTERS OF SUPERIOR WATER, LIGHT & POWER COMPANY AND NORTHERN POWER COMPANY

ORDER POSTPONING HEARINGS

March 7, 1942.

It appearing to the Commission that: Good cause has been shown for the postponement of the hearings in the aboveentitled matters;

The Commission orders that: The hearings in the above-entitled matters, heretofore set for March 9, 1942, be and the same are hereby postponed to March 12, 1942, at 10 a.m., in the Hearing Room of the Public Service Commission of Wisconsin in the State Office Building, Madison, Wisconsin.

By the Commission.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 42-2053; Filed, March 9, 1942; 3:16 p. m.]

No. 48---4

FEDERAL TRADE COMMISSION.

[Docket No. 4521]

IN THE MATTER OF LOUIS GLASSER, INDI-VIDUALLY, AND TRADING AS PARAMOUNT YARN COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of March, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41)

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law:

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, March 17, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and receive evidence in this proceeding on behalf of the respondent. The Trial Examiner will then close the case and make his report

on the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 42-2087; Filed, March 10, 1942; 11:43 a. m.]

[Docket No. 4592]

IN THE MATTER OF NATIONAL WHOLESALE HARDWARE ASSOCIATION, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of March, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive

evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 16, 1942, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 3088-K, Federal Building, 9th and Chestnut Streets, Philadelphia, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-2033; Filed, March 10, 1942; 11:43 a. m.]

[Docket No. 4620]

IN THE MATTER OF IDENTIFICATION PLATE AND MACHINE COMPANY, INC., A CORPORATION, AND JOHN B. POLLARD AND ROBERT C. FAIRBERG, INDIVIDUALLY AND AS OFFICERS OF IDENTIFICATION PLATE AND MACHINE COMPANY, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of March, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 23, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in the Hotel Picadilly, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, Secretary.

[F. R. Doc. 42-2089; Filed, March 10, 1942; 11:43 a. m.]

[Docket No. 4625]

IN THE MATTER OF BENJAMIN GOLDMAN, INDIVIDUALLY AND TRADING AS TIGER YARN COMPANY, MINNETTE YARN COM-PANY, BENGO YARN SHOP, AND GOLDMAN'S YARN SHOP

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of March, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41).

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, March 18, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

Otis B. Johnson, Secretary.

[F. R. Doc. 42-2090; Filed, March 10, 1942; 11:44 a. m.]

[Docket No. 4631]

IN THE MATTER OF ABRAHAM WELKIN AND MINNIE WELKIN, HIS WIFE, INDIVID-UALLY AND TRADING AS PRINCESS YARN COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of March, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 16, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial ex-

aminer is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 42-2091; Filed, March 10, 1942; 11:44 a. m.]

[Docket No. 4659]

IN THE MATTER OF ARNOLD A. SALTZMAN AND IRVING SALTZMAN, INDIVIDUALLY AND TRADING AS PREMIER KNITTING COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of March, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 23, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

Otis B. Johnson, Secretary.

[F. R. Doc. 42-2092; Filed, March 10, 1942; 11:45 a. m.]

[Docket No. 4665]

In the Matter of S. Reiffe & Sons, Inc., a Corporation, Individually and Doing Business Under the Trade Names Fairmount Merchandise Company and Crown Mail Order Company

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of March, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C., section 41),

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, March 27, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary,

[F. R. Doc. 42-2093; Filed, March 10, 1942; 11:45 a. m.]

[Docket No. 4691]

IN THE MATTER OF MERVIN WINEHOLT TRADING AS WINEHOLT COMPANY AND MERVIN WINEHOLT COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D C., on the 6th day of March, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority yested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, March 26, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 3088-K, Federal Building, Ninth & Chestnut Streets, Philadelphia, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

Otis B. Johnson, Secretary.

[F. R. Doc. 42-2094; Filed, March 10, 1942; 11:45 a. m.]

[Docket No. 4653]

IN THE MATTER OF EARL HALL, AN INDIVID-UAL, TRADING AS UNITED WATCH COM-PANY

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of March, A. D. 1942. This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41)

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 16, 1942, at ten o'clock in the forenoon of that day (central standard time) in Hearing Room of the Hotel Nicollett, Minneapolis, Minnesota.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-2095; Filed, March 10, 1942; 11:46 a. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 70-508]

IN THE MATTER OF UNION ELECTRIC COM-PANY OF MISSOURI AND UNION ELECTRIC COMPANY OF ILLINOIS

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 9th day of March, A. D. 1942. Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act

of 1935 by the above named parties; and Notice is further given that any interested person may, not later than March 20, 1942 at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Union Electric Company of Missouri, a registered holding company and a subsidiary of The North American Company, also a registered holding company, proposes: (a) to issue and sell \$10,000,000 additional principal amount of its First Mortgage and Collateral Trust Bonds, 336% Series due 1971 and publicly to invite sealed, written proposals for their purchase and to use the proceeds therefrom for new construction and for the purchase of additional common stock of its subsidiary, Union Electric Company of Illinois; (b) to purchase, from time to time during the period ending April 30, 1943, for cash at the par value thereof, up to 500,000 shares having an aggregate

par value of \$10,000,000 of additional common stock of Union Electric Company of Illinois and to deposit all shares so purchased with the Trustee under the mortgage securing its First Mortgage and Collateral Trust Bonds; and (c) in the event all necessary steps prerequisite to the issue and sale of the common stock of Union Electric Company of Illinois have not been completed prior to the time when Union Electric Company of Illinois may be in need of additional funds, to advance to Union Electric Company of Illinois, from time to time during the period ending April 30, 1943, sums aggregating up to \$1,000,000, without interest, to be applied against the purchase price of the common stock to be subsequently purchased as set forth in (b) above; and

Union Electric Company of Illinois proposes: (a) to issue and sell to Union Electric Company of Missouri, from time to time during the period ending April 30, 1943, for cash at the par value thereof up to 500,000 shares having an aggregate par value of \$10,000,000 and to use the proceeds therefrom for new construction; and (b) in case all necessary steps prerequisite to the issue and sale of its common stock have not been completed prior to the time when it may be in need of additional funds, to borrow from Union Electric Company of Missourl, from time to time during the period ending April 30, 1943, sums aggregating up to \$1,000,000, without interest, to be applied against the purchase price of its common stock subsequently sold as set forth in (a) above and to use the proceeds from any such advances for new construction.

By the Commission.

[SEAL]

Francis P. Brassor, Secretary.

[F. R. Doc. 42-2096; Filed, March 10, 1942; 11:46 a. m.]